

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, July 11, 2006
Tuesday, 9:07 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Martz, Schlapp, Skelton; present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

Liz Owens of the Baha'i faith, gave the invocation.

The pledge of allegiance was participated in by the Council Members, staff, and guests.

The Minutes of the June 27, 2006 meeting were approved 7 to 0.

AWARDS AND PROCLAMATIONS

Proclamations

Proclamations:

There were no proclamations to present.

Service Citations

Distinguished Service Citations:

Mayor Mayans recognized Ralph Cluck for his 33 years of service with the Water and Sewer Department.

Recognition

Recognition of Employee Volunteers for Lord's Diner.

Mayor Mayans recognized and thanked 12 employees for volunteering their time at the Lord's Diner and presented the following city employees with a certificate and a City coin: Gary Blessant, Debra Aviks, Vickie Forbes, Fire Chief Larry Garcia, Steve Bunton, Marllys Duchinsky, Gail Williams, Joe Kelly, Tom Nolan, Amy Belcher, Shirley Rogers and Kelli Glassman.

Wendy Glick, from the Lord's Diner stated that there are approximately 75 city employees who volunteer at the Lord's Diner and thanked them. Stated that these 12 city employees have gone above and beyond as far as their commitment and compassion and personally thanked each of them.

PUBLIC AGENDA

Bill Cather

Bill Cather, Sierra Club Chapter President-"Cool Cities Program", Solving Global Warning One City at a Time.

Mr. Cather stated that he resides at 1920 South Hillside and that he was a former Council Member for District III and that he has come up with an idea to save taxpayers money and reduce global warming at the same time. Stated that he is promoting the U.S. Conference of Mayor's Proposal and would ask in the future that the City Council would sign the U.S. Mayor's Climate Protection Agreement, which is a pledge. Stated that they are asking today that the Council refer this proposal to the Wichita Area Clean Air Improvement Task Force for their review and report back to the Council. Stated that this is a voluntary pledge and there is no penalty if you fall short of the expectation or the pledge and it is a pledge to reduce by 7% the pollutant level by 2012. Mr. Cather stated that he gave each of the Council

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Members a light bulb and stated that these particular light bulbs are about twice as expensive as a standard light bulb, will cost about 1/5 as much and will save a lot of money because it will last 10 times longer. Stated that the maintenance cost is going to be a lot less and that City Council Members pay the maintenance staff to go out and change these light bulbs and if this bulb last 10 times longer, it will be 1/10 of the maintenance cost. Stated that this is a money saving idea. Stated that there are other proposals in the packets that he distributed to each Council Member that he would like for them to consider.

Council Member Martz Council Member Martz stated that he would like to see the City Council take involvement in this and to do the study to see what else can be done in the City of Wichita.

Mayor Mayans Mayor Mayans stated that the Council is already working on a lot of things that was mentioned by Mr. Cather, with the Regional Pathway System and the Intelligent Transportation and have almost replaced the entire bus fleet and are also looking at the van fleet and automobile fleet to be more full efficient.

Shelly Harding Shelly Harding-A New Beginning.

Council Member Brewer Council Member Brewer stated that she is not present and that he set up a meeting between her and staff to go over her requests.

CONSENT AGENDA

Council Member Skelton Council Member Skelton requested that items 13c, 17 and 22 be pulled for discussion.

Motion-- Mayans moved that the Consent Agenda be approved in accordance with the recommended action
--carried shown thereon, excluding items 13c, 17 and 22. Motion carried 7 to 0.

BOARD OF BIDS

REPORTS OF THE BOARD OF BIDS AND CONTRACTS DATED JULY 3 AND JULY 10, 2006.

Bids were opened June 30,2006 and July 8, 2006, pursuant to advertisements published on PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications:

2006 Sanitary Sewer Rehabilitation, Phase B - various locations north of 55th Street South, east of Webb Road. (468-84180/620453/666572) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,VI)

Utility Maintenance Contractors - \$316,437.00

2006 Sanitary Sewer Reconstruction, Phase 1 - various locations north of Pawnee, east of Broadway. (468-84187/620454/666573) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III)

Wildcat Construction - \$391,315.00

Water Distribution System to serve Fawn Grove at Sunset Lakes Addition - south of Kellogg, west of Greenwich Road. (448-90194/735322/470993) Does not affect existing traffic. (District II)

Mies Construction - \$25,767.50

Lateral 397 Four Mile Creek Sewer to serve Fawn Grove at Sunset Lakes Addition - south of Kellogg, west of Greenwich Road. (468-84185/744185/480873) Does not affect existing traffic. (District II)

McCullough Excavation - \$53,450.00

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151st Street West Improvements - along 151st Street West, south of Maple. (472-84318/706939/205405) - 151st Street will be closed to through traffic during construction. (District V)

Cornejo and Sons Construction - \$210,494.00

Water Distribution System to serve Woodland Lakes Estates 3rd & 4th Additions - north of Harry, west of 127th Street East. (448-89788/735311 /470982) Does not affect existing traffic. (District II)

McCullough Excavation - \$37,550.00

Water Distribution System to serve Woodland Lakes Estates 3rd & 4th Additions - north of Harry, west of 127th Street East. (448-89789/735298 /470969) Does not affect existing traffic. (District II)

McCullough Excavation - \$16,500.00

Water Distribution System to serve Timberlands Addition - north of Harry, west of 127th Street East. (448-90125/735314/470985) Does not affect existing traffic. (District II)

Mies Construction - \$12,895.00

Water Distribution System to serve Hawthorne 3rd Addition - north of 21st Street North, east of 127th Street East. (448-89995/735324/470995) Does not affect existing traffic. (District II)

WBW Contractors - \$66,610.00

Lateral 7, Main 12 Four Mile Creek Sewer to serve Hawthorne 3rd Addition - north of 21st Street North, east of 127th Street East. (468-83874/ 744187/480875) Does not affect existing traffic. (District II)

Dondlinger & Sons - \$73,955.00

Water Distribution System to serve Falcon Falls 2nd, 3rd & Falcon Falls Commercial Additions - north of 45th Street North, west of Hillside. (448-90105/ 735291/470962) Does not affect existing traffic. (District I)

Dondlinger & Sons - \$132,540.00

Water Distribution System to serve Falcon Falls 3rd Addition - north of 45th Street North, west of Hillside. (448-90128/735315/470986) Does not affect existing traffic. (District I)

McCullough Excavation - \$70,750.00

Thoroughbred from the south line of Lot 1, Block E, north to the south line of Lot 21, Block D; Hardtner from the west line of Thoroughbred, west to the west line of the plat; Kentucky Lane from the north line of Hardtner, south to the south line of the plat; Hardtner Court from the north line of Hardtner, north to and including the cul-de-sac; Binter Circle from the west line of Thoroughbred, west and northwest to and including the cul-de-sac; Sidewalk constructed on both sides of Thoroughbred and on one side of Hardtner to serve Highland Springs 3rd Addition (south of Central, west of 135th Street West) (472-83780/765991/490108) Does not affect existing traffic. (District V)

Kansas Paving Company - \$294,881.50

Motion--

Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

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PUBLIC WORKS DEPARTMENT/BUILDING SERVICES DIVISION: Construction of two Interview Rooms.

Hahner Foreman & Harness Inc. \$30,700.00 (Total net bid)

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Remove Concrete Drying Beds ST.

H D Mills and Sons - \$26,280.00 (Total net bid)

HOUSING & COMMUNITY SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: HVAC Equipment.

AMSCO Supply - \$18,847.00* (Total base bid)

*Estimate – Contract approved on unit cost basis; refer to attachments.

Motion--
--carried

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CMBS

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES:

<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
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John G. Carroll	Tropics Lounge, Inc.	2705 North Broadway
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Motion--
--carried

Mayans moved that the license be approved subject to Staff review and approval. Motion carried 7 to 0.

PRELIM ESTS.

PRELIMINARY ESTIMATES:

- a) Construction of Left Turn Lanes on Maize Road at Westport (87N-308-01/472-84244/706924/205390) Two-way traffic shall be maintained during construction. (District V)-\$371,926
- b) Wichita WaterWalk Public Improvements Phase 2 Package 2 Downtown Arena SWD Outfall Phase I and Southeast 48 Inch Waterline Phase 1A (472-4135/792424/635674/622102/633773/751422/435352/765171/675126/755194/485313) Access to be maintained to area businesses. (District I)-\$5,900,000
- c) 2006 Sanitary Sewer Reconstruction, Phase 2 (north of MacArthur, east of Seneca) (468-84194/620455/666574) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, IV)-\$73,000

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

STAMNTS OF COSTS STATEMENTS OF COST – PAVING:

- a) Constructing a Traffic Signal at 13th and Gateway Center (south of 13th, east of Greenwich). Total Cost - \$106,657.77 (plus idle fund interest - \$642.63, plus temporary note interest - \$4,499.60). Financing to be issued at this time - \$111,800.00. (765850/472-83095/490-961).
- b) Improving Killenwood Court to serve Killenwood Point Addition (south of 13th Street North, east of Greenwich). Total Cost - \$136,704.68 (plus idle fund interest - \$790.04, plus temporary note interest - \$7,405.28). Financing to be issued at this time - \$144,900.00. (765884/472-83269/490-995).

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- c) Improving Williamsgate/Camden Chase to serve Hawthorne, Hawthorne 2nd, and Hawthorne 3rd Additions (north of 21st Street North, east of 127th Street East). Total Cost - \$1,427,009.01 (plus idle fund interest - \$9,237.40, plus temporary note interest - \$73,953.59). Financing to be issued at this time - \$1,510,200.00. (765774/472-83644/490-885).
- d) Improving Aksarben, Lost Creek, Harvest Lane to serve Copper Gate Estates Addition (south of 13th Street North, west of 135th Street West). Total Cost - \$316,450.28 (plus idle fund interest - \$1,863.91, plus temporary note interest - \$9,385.81). Financing to be issued at this time - \$327,700.00. (765901/472-83671/490-014).
- e) Improving Cherry Creek, Horseback, Sierra Hills, Triple Crown to serve Sierra Hills Addition (north of Pawnee, east of 127th Street East). Total Cost - \$846,268.99 (plus idle fund interest - \$4,580.58, plus temporary note interest - \$51,750.43). Financing to be issued at this time - \$902,600.00. (765791/472-83703/490-902).
- f) Improving Glenmoor, Glenmoor Court to serve Woodland Lakes Estates 3rd Addition (south of Lincoln, west of 127th Street East). Total Cost - \$280,746.87 (plus idle fund interest - \$5,988.24, plus temporary note interest - \$5,464.89). Financing to be issued at this time - \$292,200.00. (765927/472-83717/490-040).
- g) Improving Decker, Decker Circle, Texas, Texas Court to serve Shadow Woods Addition (north of Maple, west of 135th Street West). Total Cost - \$346,435.41 (plus idle fund interest - \$7,419.12, plus temporary note interest - \$4,345.47). Financing to be issued at this time - \$358,200.00. (765938/472-83723/490-051).
- h) Façade Improvement Program at 504 East Douglas in J.R. Mead's Addition (east of Emporia). Total Cost - \$63,583.70 (plus idle fund interest - \$633.26, plus temporary note interest - \$3,883.04). Financing to be issued at this time - \$68,100.00. (766004/472-83763/491-005).
- i) Improving Reed's Cove Court, Bridlewood to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street East). Total Cost - \$124,890.92 (plus idle fund interest - \$2,373.05, plus temporary note interest - \$2,736.03). Financing to be issued at this time - \$130,000.00. (765940/472-83771/490-053).
- j) Improving Thoroughbred, Taylor Circle to serve Highland Springs 3rd Addition (south of Central, west of 135th Street West). Total Cost - \$360,103.80 (plus idle fund interest - \$2,933.69, plus temporary note interest - \$12,462.51). Financing to be issued at this time - \$375,500.00. (765898/472-83779/490-011).
- k) Improving Glenwood Court, Reed's Cove to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street East). Total Cost - \$144,607.05 (plus idle fund interest - \$727.76, plus temporary note interest - \$6,465.19). Financing to be issued at this time - \$151,800.00. (765918/472-83857/490-031).
- l) Improving 27th Street South to serve Kingston Cove 2nd Addition (south of Pawnee, west of McLean Boulevard). Total Cost - \$118,120.60 (plus idle fund interest - \$508.87, plus temporary note interest - \$6,670.53). Financing to be issued at this time - \$125,300.00. (765831/472-83860/490-942).
- m) Improving Mona Circle, Pattie Court, Victoria Court, Victoria, Pattie to serve Rivendale Addition (north of 55th Street South, west of Hydraulic). Total Cost - \$259,685.52 (plus idle fund interest - \$8,814.48, plus temporary note interest - \$0). Financing to be issued at this time - \$268,500.00. (765968/472-83867/490-083).
- n) Improving Pepper Ridge/Havenhurst to serve Avalon Park 2nd Addition (north of 37th Street North, east of Tyler). Total Cost - \$312,337.06 (plus idle fund interest - \$529.83, plus temporary note interest - \$13,733.11). Financing to be issued at this time - \$326,600.00. (765887/472-83899/490-998).

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- o) Improving 45th Street South from the west line of Lulu to the west line of Hydraulic to serve South Hydraulic Park Addition (north of 47th Street South, west of Hydraulic). Total Cost - \$245,971.75 (plus idle fund interest - \$3,224.79, plus temporary note interest - \$7,403.46). Financing to be issued at this time - \$256,600.00. (765893/472-83909/490-006).
- p) Improving Lulu from the north line of 45th Street South to the south line of 44th Street South to serve South Hydraulic Park Addition (north of 47th Street South, west of Hydraulic). Total Cost - \$89,123.62 (plus idle fund interest - \$1,104.73, plus temporary note interest - \$2,671.65). Financing to be issued at this time - \$92,900.00. (765892/472-83910/490-005).
- q) Improving Auburn Hills, Auburn Hills Court to serve Auburn Hills 15th Addition (north of Kellogg, west of 135th Street West). Total Cost - \$199,101.56 (plus idle fund interest - \$3,204.28, plus temporary note interest - \$4,894.16). Financing to be issued at this time - \$207,200.00. (765925/472-83931/490-038).
- r) Improving Reca, Nantucket, 15th Street North to serve English Country Gardens Addition (north of 13th Street North, east of Tyler). Total Cost - \$118,754.67 (plus idle fund interest - \$4,201.59, plus temporary note interest - \$643.74). Financing to be issued at this time - \$123,600.00. (765948/472-83936/490-061).
- s) Improving Castle Rock, Peppertree, Burning Tree, 22nd Street North to serve Krug North Addition (north of 21st Street North, west of 143rd Street East). Total Cost - \$341,269.97 (plus idle fund interest - \$976.17, plus temporary note interest - \$18,453.86). Financing to be issued at this time - \$360,700.00. (765866/472-83973/490-977).
- t) Improving Castle Rock, Burning Tree, Ayesbury, Camden Chase, Camden Chase Court to serve Krug North Addition (north of 21st Street North, west of 143rd Street East). Total Cost - \$445,249.81 (plus idle fund interest - \$16,623.60, plus temporary note interest - \$1,126.59). Financing to be issued at this time - \$463,000.00. (765941/472-83974/490-054).
- u) Improving 43rd Street Circle for a new street on the east side of Webb Road on 43rd Street North to serve Sand Plum Addition (south of 45th Street North, west of Webb). Total Cost - \$212,576.05 (plus idle fund interest - \$1,880.84, plus temporary note interest - \$8,043.11). Financing to be issued at this time - \$222,500.00. (765896/472-84027/490-009).
- v) Improving Pine Bay Street, Madison Avenue, Madison Court to serve Pine Bay Estates Addition (south of 63rd Street South, east of Hydraulic). Total Cost - \$252,077.20 (plus idle fund interest - \$1,341.18, plus temporary note interest - \$10,881.62). Financing to be issued at this time - \$264,300.00. (765894/472-84034/490-007).
- w) Improving Manchester, Havenhurst to serve Prairie Pointe and Prairie Pointe 2nd Additions (north of 37th Street North, west of Maize). Total Cost - \$264,821.89 (plus idle fund interest - \$9,278.11, plus temporary note interest - \$0). Financing to be issued at this time - \$274,100.00. (765958/472-84042/490-071).
- x) Improving an Asphalt Mat Paving on 37th Street North from Maize to a point 1,300 feet west of Maize Road to serve Prairie Pointe Addition (along 37th Street North, west of Maize). Total Cost - \$102,759.28 (plus idle fund interest - \$3,840.72, plus temporary note interest - \$0). Financing to be issued at this time - \$106,600.00. (765959/472-84044/490-073).
- y) Improving West 56th Circle South, Wayne Circle to serve My House Addition (south of 55th Street South, west of Broadway). Total Cost - \$122,101.67 (plus idle fund interest - \$399.00, plus temporary note interest - \$5,099.33). Financing to be issued at this time - \$127,600.00. (765903/472-84049/490-016).
- z) Improving Edwards, Rio Vista, Richmond to serve Rio Vista Estates 4th Addition (north of 61st Street North, west of Meridian). Total Cost - \$721,899.05 (plus idle fund interest -

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\$24,591.51, plus temporary note interest - \$1,609.44). Financing to be issued at this time - \$748,100.00. (765949/472-84056/490-062).

- aa) Improving Camden Chase, Rosemont Court, Loch Lomond Court (Phase 2) to serve Hawthorne 3rd and Krug North Additions (north of 21st Street North, east of 127th Street East). Total Cost - \$434,843.70 (plus idle fund interest - \$2,561.43, plus temporary note interest - \$18,894.87). Financing to be issued at this time - \$456,300.00. (765913/472-84081/490-026).
- bb) Improving Williamsgate Court to serve Hawthorne 3rd Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$233,466.73 (plus idle fund interest - \$9,033.27, plus temporary note interest - \$0). Financing to be issued at this time - \$242,500.00. (765943/472-84083/490-056).
- cc) Improving Fieldcrest, Maxwell, Prescott, Savannah, Fieldcrest Circle, Maxwell Circle, Prescott Circle to serve Southern Ridge 2nd Addition (south of Pawnee, west of Maize). Total Cost - \$257,910.99 (plus idle fund interest - \$9,289.01, plus temporary note interest - \$0). Financing to be issued at this time - \$267,200.00. (765955/472-84098/490-068).
- dd) Improving Parkdale to serve Evergreen 5th Addition (south of 29th Street North, west of Maize). Total Cost - \$380,523.13 (plus idle fund interest - \$11,876.87, plus temporary note interest - \$0). Financing to be issued at this time - \$392,400.00. (765966/472-84103/490-081).
- ee) Improving Aksarben, Decker, Kiwi to serve Copper Gate North Addition (north of 13th Street North, west of 135th Street West). Total Cost - \$334,186.99 (plus idle fund interest - \$11,508.32, plus temporary note interest - \$804.69). Financing to be issued at this time - \$346,500.00. (765934/472-84104/490-047).
- ff) Improving Firefly Drive, Azure Lane to serve Whistling Walk Estates Addition (south of 13th Street North, west of 119th Street West). Total Cost - \$542,366.77 (plus idle fund interest - \$18,020.74, plus temporary note interest - \$3,712.49). Financing to be issued at this time - \$564,100.00. (765912/472-84111/490-025).
- gg) Improving Blade, Mill Run, Scragg Circle to serve Sawmill Creek Addition (east of Rock, north of 45th Street North). Total Cost - \$389,195.20 (plus idle fund interest - (\$1,209.90), plus temporary note interest - \$17,114.70). Financing to be issued at this time - \$405,100.00. (765921/472-84123/490-034).
- hh) Improving North 127th Court East to serve The Fairmont 3rd Addition (west of 127th Street East, north of 21st Street North). Total Cost - \$98,493.33 (plus idle fund interest - \$558.95, plus temporary note interest - \$3,947.72). Financing to be issued at this time - \$103,000.00. (765919/472-84136/490-032).
- ii) Improving Monterey, Ocala to serve Auburn Hills 15th Addition (north of Kellogg, west of 135th Street West). Total Cost - \$157,273.76 (plus idle fund interest - \$2,424.40, plus temporary note interest - \$3,901.84). Financing to be issued at this time - \$163,600.00. (765928/472-84145/490-041).
- jj) Improving Auburn Hills to serve Auburn Hills 15th Addition (north of Kellogg, west of 135th Street West). Total Cost - \$49,596.10 (plus idle fund interest - \$838.26, plus temporary note interest - \$965.64). Financing to be issued at this time - \$51,400.00. (765926/472-84146/490-039).
- kk) Improving Yosemite, Dallas to serve Southern Ridge 3rd Addition (south of Pawnee, west of Maize). Total Cost - \$135,624.26 (plus idle fund interest - \$4,492.95, plus temporary note interest - \$482.79). Financing to be issued at this time - \$140,600.00. (765942/472-84188/490-055).

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- ll) Improving Greenfield, Dallas, Dallas Circle to serve Southern Ridge 3rd Addition (south of Pawnee, west of Maize). Total Cost - \$153,092.92 (plus idle fund interest - \$5,607.08, plus temporary note interest - \$0). Financing to be issued at this time - \$158,700.00. (765964/472-84191/490-079).
- mm) Improving Bridlewood, Bridlewood Court to serve Reed's Cove Addition (south of 21st, east of 127th Street East). Total Cost - \$138,211.63 (plus idle fund interest - \$5,044.63, plus temporary note interest - \$643.74). Financing to be issued at this time - \$143,900.00. (765952/472-84238/490-065).
- nn) Improving Timberidge Circle to serve Timber Lakes Estates 4th Addition (north of Harry, west of 159th Street East). Total cost - \$58,464.57 (plus idle fund interest - \$2,235.43, plus temporary note interest - \$0). Financing to be issued at this time - \$60,700.00. (765953/472-84253/490-066).
- oo) Constructing a Traffic signal at Maize and New Market Square to serve Newmarket Square Addition (north of 21st Street North, west of Maize) Total Cost - \$110,656.35 (plus idle fund interest - \$4,343.65, plus temporary note interest - \$0). Financing to be issued at this time - \$115,000.00. (765961/472-84276/490-075).

Motion--carried

Mayans moved that the file be approved. Motion carried 7 to 0.

PETITION

CONSTRUCT SANITARY SEWER AND WATER IMPROVEMENTS IN FOX RIDGE ADDITION, NORTH OF 29TH STREET NORTH, EAST OF MAIZE. (DISTRICT V)

Agenda Report No. 06-0690

The Petitions have been signed by one owner representing 100% of the improvement districts.

The projects will provide sanitary sewer and water improvements within a residential development located north of 29th St. North, east of Maize.

The Petitions total \$426,000. The funding source is special assessments.

These projects address the Ensure Efficient Infrastructure goal by providing for the construction of sanitary sewer and water improvements in a new subdivision. They also address the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of property in the improvement district.

Motion--
--carried

Mayans moved that the Petitions be approved; the Resolutions adopted and the necessary signatures authorized. Motion carried 7 to 0.

RESOLUTION NO. 06-386

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-90204 (north of 29th Street North, east of Maize) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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RESOLUTION NO. 06-387

Resolution of findings of advisability and resolution authorizing construction of Lateral 3, Main 6, (Part D) Northwest Interceptor Sewer, (north of 29th Street North, east of Maize) 468-84202 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

DEEDS/ESMNTS

DEEDS AND EASEMENTS:

- a) Drainage and Utility Easement dated May 24th, 2006 from Ritchie Development Corporation over tracts of land lying over portions of Lots 4, 9, 13, 14 20, 21, 34, 35 and 22, Block 2 and Reserves "B" and "D", Country Hollow Addition, an addition to Wichita, Sedgwick County, Kansas, (OCA# 607861) D17873
- b) Utility Easement dated May 30, 2006 from Jason N. and Cynthia A. Laub, co-owners over a tract of land lying in Lot 13, Block 2, Reed's Cove Addition, an addition to Wichita, Sedgwick County, Kansas, (OCA# 607861) D17874

Motion--carried

Mayans moved that the documents be accepted. Motion carried 7 to 0.

BOARD MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Board of Park Commissioners, April 10, 2006
Police & Fire Retirement Board, April 26, 2006
Wichita Employee's Police & Fire Retirement Board, April 28, 2006
District VI Advisory Board, May 1, 2006
Wichita Airport Advisory Board, May 1, 2006
District III Advisory Board, May 3, 2006
Wichita Employee's Police & Fire Retirement Board, May 4, 2006
Board of Electrical Appeals, May 9, 2006
Board of Park Commissioners, May 13, 2006
Housing Advisory Board, May 17, 2006
Public Library Monthly Report, May 2006

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

STREET CLOSURE

STREET CLOSURE.

Agenda Report No. 06-0691

In accordance with the Community Events Procedure, the event promoter is coordinating Mr. Clark Ensz of Run Wichita, Wichita State University and with City of Wichita Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

St. Marks C.E. Tyree Clinic Community Day 2K Walk/Run and Community Day, July 29, 2006
§ 1400 – 1900 blocks of North Lorraine 7:00 am – 9:30 pm for Run/Walk
§ 18th Street from Lorraine to Hillside 7:00 am – 9:30 am for Run/Walk
§ Lorraine from 14th Street to 15th Street 7:00 am – 3:00 pm for Community Day activities.

Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately upon completion of the event.

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Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Enhance the Quality of Life

Motion-- Mayans moved that the request be approved subject to: Hiring off-duty certified law enforcement officers as required; Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department and Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

--carried

EXPENSE REPORT EXPENSE FOR SENIOR MANAGEMENT FOR MONTH OF APRIL 2006.

Motion--carried Mayans moved to receive and file. Motion carried 7 to 0.

EXPENSE REPORT EXPENSE FOR SENIOR MANAGEMENT FOR MONTH OF MAY 2006.

Motion--carried Mayans moved to receive and file. Motion carried 7 to 0.

CLIFTON COVE CONSTRUCTION ENGINEERING AND STAKING IN CLIFTON COVE ADDITION, SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON. (DISTRICT III)-SUPPLEMENTAL.

Agenda Report No. 06-0692

The City Council approved the drainage improvements in Clifton Cove Addition on November 15, 2005. On June 6, 2006 the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for construction engineering and staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to Baughman will be on a lump sum basis of \$25,700 and will be paid by special assessments.

This Supplemental Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of drainage improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion-- Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

--carried

NORTH RIDGE STAKING IN NORTH RIDGE VILLAGE ADDITION, NORTH OF 37TH STREET NORTH, WEST OF RIDGE. (DISTRICT V)-SUPPLEMENTAL.

Agenda Report No. 06-0693

The City Council approved the drainage improvements in North Ridge Village Addition on March 22, 2005. On December 13, 2005 the City approved an Agreement with MKEC Engineering Consultants, Inc. (MKEC) to design the improvements. The Design Agreement with MKEC requires MKEC to provide construction engineering and staking services if requested by the City.

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The proposed Supplemental Agreement between the City and MKEC provides for staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to MKEC will be on a lump sum basis of \$28,250 and will be paid by special assessments.

This Supplemental Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of drainage improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

(Item 13c)

LABOR CONTRACT

APPROVAL OF LABOR NEGOTIATION CONSULTANT CONTRACT.

Agenda Report No. 06-0694

On June 20, 2006, City Council approved the recommendation of a staff screening and selection committee to select the legal team of the McAnany, VanCleave and Phillips law firm and Frank Ojile as the Labor Negotiation Consultant, and directed staff to negotiate a contract with the McAnany and Ojile legal team for professional legal services.

The City sought qualified attorneys to provide professional consultation and legal services in connection with union negotiations. The legal team will act as a consultant and advisor on an as needed basis and provide professional consulting services to the City as required and requested to accomplish the negotiation of union contracts. The contract has been drafted for a one-year term, and is based on the content of the City's RFP and the legal team's response.

Provide a Safe and Secure Community.

Compensation is based upon an hourly rate and a not to exceed amount of \$75,000 for hourly fees and expenses. Funding for the agreement will be taken from the General Fund appropriated reserves.

The City Attorney's Office has prepared the contract and approved it as to form.

Council Member Skelton Council Member Skelton asked the City Attorney to explain how this type of situation has been handled in prior years and that every time outside staff is hired, it is a concern of his from a spending perspective.

Gary Rebenstorf Director of Law explained that the reason that the request is being made for this outside counsel is not to be at the bargaining table all of the time but to provide legal services in the expertise area of labor negotiations that his staff does not have at this time. Stated that they fashioned a contract for a one-year term but to make sure that they have in the upcoming negotiations, someone who has had significant experience with labor negotiations to be on the City's team. Stated that in the past they have retained lawyers to be negotiators and retained other types of outside consultants to be of assistance in labor negotiations.

Motion--
--carried

Mayans moved that the contract and necessary budget adjustments be approved and the necessary signatures authorized. Motion carried 7 to 0.

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CRESTLAKE

CRESTLAKE ADDITION, NORTH OF CENTRAL, WEST OF 127TH STREET EAST. (DISTRICT II)

Agenda Report No. 06-0695

The City Council approved the water distribution system, sanitary sewer, drainage and paving improvements in Crestlake Addition on April 18, 2006.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond-financed improvements consisting of water distribution system, sanitary sewer, drainage and paving in Crestlake Addition. Per Administrative Regulation 1.10, staff recommends that R&B be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to R&B will be on a lump sum basis of \$92,800 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of water, sewer, drainage and paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

FAWN GROVE

FAWN GROVE AT SUNSET LAKES, SOUTH OF KELLOGG, EAST OF GREENWICH. (DISTRICT II)

Agenda Report No. 06-0696

The City Council approved the water distribution system, sanitary sewer and paving improvements in Fawn Grove at Sunset Lakes on May 2, 2006.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond-financed improvements consisting of water distribution system, sanitary sewer and paving in Fawn Grove at Sunset Lakes. Per Administrative Regulation 1.10, staff recommends that R&B be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to R&B will be on a lump sum basis of \$28,900 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of water, sewer and paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

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E. KELLOGG SEWER EAST KELLOGG SANITARY SEWER MODIFICATION. (DISTRICTS II AND III)- SUPPLEMENTAL.

Agenda Report No. 06-0697

On October 3, 2000, the City entered into an Agreement with MKEC Engineering Consultants, Inc. (MKEC) for designing East Kellogg sanitary sewer modification. Portions of the existing sanitary sewer system conflicted with the East Kellogg roadway improvements. The fee was \$106,100.

A Supplemental design agreement has been prepared with MKEC for redesigning the sanitary sewer alignment because of the new location of the easement. The original alignment had the sewer crossing near the north property line of a privately owned lot. The property owner decided that rather than granting easement along his north property as originally thought, he wanted the easement to be further south across his property. The revised easement location resulted in the need for a revised alignment and revised project plans.

Payment to MKEC for the Supplemental Agreement will be made on a lump sum basis of \$11,480 and will be paid by Sewer Water Utility.

This Supplemental Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed to provide a viable transportation system and sanitary sewers for the community.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

CLIFTON COVE

CLIFTON COVE ADDITION, SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON. (DISTRICT III)

Agenda Report No. 06-0698

The City Council approved the paving improvements in Clifton Cove Addition on November 15, 2005.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of paving in Clifton Cove Addition. Per Administrative Regulation 1.10, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Baughman will be on a lump sum basis of \$26,200 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

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GREENWICH ROAD GREENWICH ROAD IMPROVEMENT, BETWEEN 26TH STREET NORTH AND 29TH STREET NORTH. (DISTRICT II)-SUPPLEMENTAL.

Agenda Report No. 06-0699

On May 4, 2004, the City entered into an Agreement with Professional Engineering Consultants, P.A. (PEC) for designing improvements to Greenwich Road from 13th Street North to the north ramp of K-96. The fee was \$292,800. On January 10, 2006, the City Council approved Supplemental No. 1 because the northern limit of the project had been extended north to 26th Street North. The fee was \$50,000. On June 6, 2006, the City Council approved a project to improve Greenwich Road from 26th St. North to 29th St. North.

A Supplemental design agreement has been prepared with PEC for the Greenwich Road improvement, from 26th St. North to 29th St. North.

Payment to PEC for the Supplemental Agreement will be made on a lump sum basis of \$90,000 and will be paid by General Obligations Bonds and Water Utility.

This project addresses the Ensure Efficient Infrastructure goal by improving a vital arterial street. It also addresses the Economic Vitality and Affordable Living goal by providing a public improvement necessary for the private sector's development of the surrounding area.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

CHANGE ORDER MID-CONTINENT SEWAGE TREATMENT FACILITIES. (DISTRICT IV)

Agenda Report No. 06-0700

On November 15, 2005, City Council approved a Contract with Camp Dresser & McKee in the amount of \$6,172,900 for site permitting, and design and construction oversight of the Mid- Continent Sewage Treatment Facilities. The Contract included the development of a sludge management study update, and design and construction oversight to provide sewage treatment services for the City of Goddard. Since that time, Goddard has elected not to use the services presented by the Water & Sewer Department.

Since formalizing the Contract, Staff identified the need for engineering services to design a wet weather diversion structure and provide recommendations for a valve replacement at the Four Mile Creek Wastewater Treatment Plant. This modification will help ensure that wet weather flows at Four Mile Creek can be handled with a minimum threat to personal property damage. Camp Dresser & McKee (CDM) has submitted an estimate for the work.

Efforts are being made to standardize the automated control equipment used throughout the department. To complete standardization, the Sewage Treatment Division will be required to update hardware and software at all facilities to match that at the Water Treatment Plant. Staff prefers that CDM design the new system as part of this project.

Eliminating the Goddard work decreases the Contract by \$1,250,900. CDM's estimate is an increase of \$37,500. The net change to the Contract is a decrease of \$1,213,400, which represents a 20 percent decrease in the Contract. The revised Contract is \$4,959,500. Details of the decrease are listed in the letter provided by CDM.

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The project will ensure efficient infrastructure by adding treatment facilities closer to areas in which waste is generated. This will provide better reliability through decreased dependence on the limited capacities of existing infrastructure. Additionally, it will modernize treatment processes allowing for continued achievement of new and existing regulatory requirements by providing reliable, compliant and secure utilities.

The Change Order has been reviewed and approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized.
Motion carried 7 to 0.

CHANGE ORDER

KELLOGG/ROCK INTERCHANGE-EASTERN BRIDGE. (DISTRICT II)

Agenda Report No. 06-0701

On September 20, 2005, the City Council approved a construction contract with King Construction Company to construct the Eastern Bridge at Kellogg. A part of the work is the installation of driven steel pilings. Soil conditions encountered at the site require an overrun of the steel pile quantities.

A Change Order has been prepared for the additional work. Funding is available within the project budget.

The total cost of the additional work is \$31,195 with the total paid by a combination of local sales tax funds and Federal Grants. The original contract amount is \$9,653,080. This Change Order represents 0.32% of the original contract amount.

This project addresses the Efficient Infrastructure goal by improving the traffic capacity and safety

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 528 NORTH OLIVER FOR THE CENTRAL AND OLIVER INTERSECTION PROJECT. (DISTRICTS I AND II)

Agenda Report No. 06-0702

On January 10, 2006, City Council approved a project to improve the intersection at Central and Oliver. Left turn lanes will be provided at all four approaches to the intersection. The traffic signal system will be upgraded and a new storm water sewer will be constructed. Available right-of-way will be landscaped. Construction is planned to begin in the fall of 2006 along with the Central, Oliver to Woodlawn road improvement project. The intersection improvement plan calls for partial acquisitions of four parcels. One acquisition at 528 North Oliver requires a 750 square foot strip take of land. The property is a single-family rental property.

Due to proximity of the new road, sidewalk, road right-of-way line and loss of trees, the owner expressed concern on his ability to continue to lease the property as a single-family rental. The entire property was appraised at \$44,000, or \$58.67 per square foot. The partial take was appraised at \$11,600. A counter offer of \$50,000, or \$66.67 per square foot was provided for the entire 7,000 square foot lot and its 750 square foot house. This counter offer is reasonable based on appraised value and that the remainder can be used to mitigate damages to another tract affected by the project. The property is currently vacant so relocation is not required.

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The funding source for the City share of the project is General Obligation Bonds. A budget of \$55,000 is requested. This includes \$50,000 for the acquisition, and \$5,000 for closing costs and title insurance.

The acquisition of this parcel is necessary to ensure efficient infrastructure as this area is rapidly growing.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Budget and the Real Estate Purchase Contracts be approved and the necessary signatures authorized. Motion carried 7 to 0.

(Item 17)

CDBG ADJUSTMENT CDBG BUDGET ADJUSTMENT.

Agenda Report No. 06-0703

The 2006-2007 One Year Action Plan was approved by the City Council on May 9, 2006. The CDBG allocations include funding for housing projects, economic development, neighborhood stabilization, public services and planning and administration. In that plan, planning and administration funds support 9.3 positions in the Housing and Community Services Department and 9.4 positions in other City departments.

When the City closed on the sale of the Eaton Hotel in June, 2006,, a repayment of \$241,046 was made on the CDBG loan which helped finance the original restoration. Those funds can be considered for reprogramming under federal guidelines for the use of program income. This action will move \$89,796 of the repayment, to the planning and administration category to offset annual salary costs for the Housing and Community Services Department director and assistant director positions.

The Code of Federal Regulations specifies that a jurisdiction can allocate up to 20% of their CDBG allocation and program income, to planning and administration. The proposed adjustment to the 2006-2007 One Year Action Plan will bring the City of Wichita's planning and administration costs to 14% of our current allocation and program income.

This action will have no impact on the General Fund. It will, however, reduce the administrative cost burden for other department federal program funding and will bring the funding sources for the salaries in question, in line with actual job responsibilities.

Funding administrative staff positions supports oversight of the department's Core Area and Neighborhoods and Economic Vitality and Affordable Living programs.

The requested action is allowable under HUD regulations. Budget adjustments over \$25,000 require City Council approval.

Council Member Skelton Council Member Skelton stated that the City received \$241,000 from the closing on the sale of the Eaton and at that time he found it attractive to use these CDGB dollars for future neighborhood projects and according to the agenda report, we are going to spend close to \$90,000.00 on salary costs. Asked what will staff do in lieu of this sale to cover these salary costs and what will the balance of this money be used for.

Mary K. Vaughn Director of Housing and Community Services explained that the recommendation before the Council is to offset the administrative cost in the Housing Community Services Department for two positions, hers and the Assistant Director's position. Stated that currently her position is totally funded from Public Housing and Section 8 and her duties extend beyond that. Stated that her position is partially funded by HOME and this makes her compensation match her duties. Stated that this will also offset more of the cost for the Assistant Director's position so that it will more accurately reflect his duties and the recommendation is to only account for part of repayment and the balance of that will be recommended to the Council at a later date for neighborhood improvements.

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- Motion-- Mayans moved that a budget adjustment to CDBG allocations in the One Year Action Plan be approved.
- Council Member Skelton Council Member Skelton stated that he is willing to support this today but thinks that it is important that we use the balance of the funds from the Eaton sale for neighborhood projects and that is one reason why he supported this sale.
- carried Motion carried 7 to 0.

ABC TAXI

APPROVAL OF CERTIFICATE OF CONVENIENCE AND NECESSITY FOR TED HILL D/B/A ABC TAXI CAB COMPANY.

Agenda Report No. 06-0704

On June 13th, 2006, Wichita Transit staff received an application from Mr. Ted Hill d/b/a ABC Taxi Cab Company, for a Certificate of Convenience and Necessity to operate a taxicab company in Wichita, Kansas. Mr. Ted Hill is the new owner of ABC Taxi Cab Company. The application included an insurance policy meeting code requirements, payment of fee, and support documentation. This company will operate thirty-two vehicles.

If approved for a license, ABC Taxi Cab Company will become the second licensed taxi cab company in the City of Wichita. This will be an added resource to those persons needing transportation services.

There will be no financial impact on the City of Wichita.

The Certificate of Convenience and Necessity impacts the goal, "ensure efficient infrastructure." It impacts the indicator "maintain safe and dependable transportation systems." Entering into this Certificate will provide more options to people who need transportation.

The City's Law Department has reviewed and approved the application, the Certificate of Convenience and Necessity, and the policy of insurance submitted by Ted Hill d/b/a ABC Taxi Cab Company.

- Motion-- Mayans moved that a Certificate of Convenience and Necessity for Ted Hill to operate ABC Taxi Cab Co. in Wichita, Kansas be approved. Motion carried 7 to 0.
- carried

AMER CAB CO.

APPROVAL OF CERTIFICATE OF CONVENIENCE AND NECESSITY FOR TIM HILL D/B/A AMERICAN CAB COMPANY.

Agenda Report No. 06-0705

On June 13th, 2006, Wichita Transit staff received an application from Mr. Tim Hill d/b/a American Cab Company, for a Certificate of Convenience and Necessity to operate a taxicab company in Wichita, Kansas. Mr. Tim Hill is the new owner of American Cab Company. The application included an insurance policy meeting code requirements, payment of fee, and support documentation. This company will operate seventeen vehicles.

If approved for a license, American Cab Company will become the third licensed taxi cab company in the City of Wichita. This will be an added resource to those persons needing transportation services.

There will be no financial impact on the City of Wichita.

The Certificate of Convenience and Necessity impacts the goal, "ensure efficient infrastructure." It impacts the indicator "maintain safe and dependable transportation systems." Entering into this Certificate will provide more options to people who need transportation.

The City's Law Department has reviewed and approved the application, the Certificate of Convenience and Necessity, and the policy of insurance submitted by Tim Hill d/b/a American Cab Company.

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Motion--
--carried

Mayans moved that a Certificate of Convenience and Necessity for Tim Hill to operate American Cab Company in Wichita, Kansas be approved. Motion carried 7 to 0.

TRAFFIC PROGRAM 2006 AND 2007 TRAFFIC SIGNALIZATION PROGRAM. (DISTRICTS I, II, IV AND V)

Agenda Report No. 06-0706

The 2005-2014 Capital Improvement Program (CIP) includes an ongoing project to install traffic signals at major intersections.

The locations being proposed by staff for the 2006 and 2007 program years are listed below in priority order:

34th St. North at Woodlawn
Hoover at MacArthur
Gatewood at 13th
I-235 at south Meridian
135th St. West at Kellogg (to be installed by County)
21st at Greenleaf
Pawnee at Webb
K-96 at Oliver

The budgets contained in the CIP for 2006 and 2007 total \$700,000. The funding source is General Obligation Bonds. It is doubtful that the budget is sufficient to install signals at all of the listed locations. Unfunded locations will carry over to the 2008 program and be reprioritized.

This project addresses the Ensure Efficient Infrastructure goal by improving traffic flow through busy intersections in the community

The Law Department has approved the authorizing Resolution as to legal form.

Motion--
--carried

Mayans moved that the locations and the project be approved and the Resolution adopted. Motion carried 7 to 0.

RESOLUTION NO. 06-389

A Resolution finding it necessary to construct traffic signal systems at the intersections of 34th Street North at Woodlawn, Hoover at Macarthur, Gatewood at 13th, I-235 at South Meridian, 135th Street West at Kellogg, 21st Street at Green Leaf, Pawnee at Webb and K-96 at Oliver 472-84424, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

LIQUOR TAX

SPECIAL LIQUOR TAX PROGRAM INNOVATIVE PROJECTS RFP

Agenda Report No. 06-0707

In December of 1999, the City Council set policy guidelines for the use and administration of the Special Liquor Tax dollars received for alcohol and substance abuse prevention and treatment. These policy guidelines were reviewed and reaffirmed at a May 24, 2005 City Council workshop and are being used in the operation and administration of the 2006 Special Liquor Tax Program. This program currently has an operating budget of \$1,541,409 and uses 15 different organizations to operate 18 projects in the provision of alcohol and substance abuse prevention, treatment, detoxification, case management and administrative services. There is an option to renew current providers through the 2007 calendar year so a comprehensive Special Liquor Tax services request for proposals (RFP) will be issued in 2007 to procure services for the 2008 calendar year.

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Adopted policy guidelines also promote the use of Special Liquor Tax funds to encourage providers to develop pilot programs that have promising approaches to alcohol and substance abuse prevention and treatment. The last RFP for innovative pilot projects was issued in March of 2002. Several currently funded programs were procured through that RFP.

The Council is requested to approve the issuance of a competitive Special Liquor Tax RFP for innovative projects. The RFP would be issued by the City's Purchasing Office and be budgeted at \$100,000. Any project(s) selected through the RFP process would be anticipated to have an initial operating period of January 1, 2007 through December 31, 2007 with options to continue based on funding availability and successful outcomes evaluations. The team reviewing proposals received through the RFP process will include Special Liquor Tax Coalition members and the Coalition's funding recommendations are scheduled to be presented to the Council in November 2006.

The 2007 Proposed Budget has incorporated the \$100,000 annual cost of the RFP into present and future year Special Liquor Tax budgets. The City will use Special Liquor Tax funds it receives from the State of Kansas to pay for services procured through the RFP; no general fund monies will be obligated.

The procurement of innovative approaches to alcohol and substance abuse prevention and treatment will address the goal of providing a safe and secure community by improving community health and safety.

Department of Law approval as to form will be obtained for contracts issued as a result of the RFP.

Motion--
--carried

Mayans moved that the issuance of a Special Liquor Tax Program Innovative Projects RFP be approved. Motion carried 7 to 0.

(Item 22) ICE CENTER

WICHITA ICE CENTER EQUIPMENT REPAIR. (DISTRICT IV)

Agenda Report No. 06-0708

The Park and Recreation Department was directed by City Council to take over the operations of the Wichita Ice Center on May 3, 2005, until a new management contract was approved. The Ice Center facility and most of the equipment will be ten years old this year, resulting in equipment that has exceeded its useful life. The Council approved funding within the 2005 Park Capital Improvement Program (CIP) in the amount of \$70,000 on February 14, 2006 for the replacement of the Cooling Tower and other improvements, however the Cooling Tower absorbed the full amount. There is an additional \$105,000 in the 2006 Park CIP to assist with the further capital improvements to the facility and the replacement and repairs to equipment.

The 2006 Park Capital Improvement Program includes funding for the renovation of the Ice Center's facility and equipment. The capital plan calls for replacement and refurbishing of mechanical equipment, repairs and redesign of the seating area to meet current ADA standards and to accommodate a seating plan for a potential revenue source during the off-season, new flooring throughout the building, and sandblasting and painting.

The 2006 Park CIP includes funding of \$105,000 for the facility renovation at the Wichita Ice Center. The funding source is general obligation bonds.

The initiation of this project will greatly enhance the Quality of Life for citizens of Wichita and those that visit this facility.

The Law Department has approved the bonding resolution as to form.

Council Member Skelton Council Member Skelton stated that it has been a concern of his that the City continues to throw money at this facility and asked what the plan is to get this facility on its own two feet and when can he expect to stop being asked as a Council Member to subsidize this facility.

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Cathy Holdeman

Assistant City Manager explained that staff is currently negotiating a contract for the management of the Ice Sports Center with Rink Management, Inc. Stated that as part of that contract negotiations, they will do a more detailed assessment of the facility and at that time staff will be able to bring back to the Council a clearer picture of the capital expenditures that are needed for that facility. Stated she would anticipate that within 60-90 days of establishing the agreement with Rink Management, Inc. Stated staff will be asking them to incorporate those capital improvement costs within the budget so they can clearly see what all of the expenditures and revenues are with relationship to the management of that facility.

Motion--
--carried

Mayans moved that the bonding resolution be adopted; the initiation of the project authorized and all the necessary signatures authorized. Motion carried 6 to 1 (Skelton, no).

RESOLUTION NO. 06-390

A Resolution authorizing the issuance of bonds by the City of Wichita at Large for labor and improvements at the Wichita Ice Center including replacement and refurbishing of mechanical equipment, updating of the seating area, new flooring, sandblasting and painting presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 1. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, and Mayans; (Skelton, no).

EMINENT DOMAIN

SETTLEMENT OF EMINENT DOMAIN APPEAL-1027 EAST PAWNEE. (DISTRICT III)

Agenda Report 06-0709

The improvement of Pawnee from Washington to Hydraulic required the acquisition of approximately 2,472 square feet from the business located at 1027 East Pawnee. While not directly affecting the improvements on the site, the taking did eliminate access and parking along the front of the property. Negotiations to acquire the needed land were unsuccessful and eminent domain was approved by the City Council on April 5, 2005. The eminent domain was completed on October 13, 2005 with the City paying \$97,500 and receiving title to the required tract. The owner has appealed this award.

As part of the Pawnee project, the City acquired 1017 East Pawnee, immediately west of 1027 East Pawnee. The improvements have been removed from 1017 East Pawnee. The remnant contains approximately 11,290 square feet. The owner of 1027 East Pawnee has agreed to drop his appeal and pay the City \$9,500 in exchange for this parcel. He will then be responsible for paving the site and incorporating it into his existing property.

The City will receive \$9,500 for the transfer parcel and will avoid the costs associated with an appeal hearing.

The efficient acquisition of right of way is necessary to ensure efficient infrastructure by maintaining safe and dependable transportation systems.

The Law Department recommends acceptance of the settlement offer.

Motion--
--carried

Mayans moved that the sale of the remainder of 1017 East Pawnee be authorized on the terms set out above and the Mayor authorized to sign the appropriate documents to close the transaction. Motion carried 7 to 0.

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NEW BUSINESS

TIF DISTRICT

PUBLIC HEARING ON THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT, TAX INCREMENT FINANCING FOR THE DOUGLAS AND HILLSIDE REDEVELOPMENT PROJECT. (DISTRICT II)

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Report No. 06-0710

On June 6, 2006, the City Council adopted a resolution stating its intent to consider the establishment of a redevelopment district in the area of Douglas & Hillside, to be known as the Douglas & Hillside Redevelopment District, for the purpose of facilitating the use of tax increment financing. The resolution set 9:30 a.m. on July 11, 2006, or as soon thereafter as possible, as the time for a public hearing before the City Council on this matter. Copies of the resolution were mailed, by certified mail, to all owners and occupants of property in the proposed district, and to the Board of Sedgwick County Commissioners and the U.S.D. 259 Board of Education, according to state law.

The area proposed for redevelopment is bounded on the south by Douglas Avenue, on the west by Hillside Avenue, on the north by First Street and includes property parcels adjacent to the east of Rutan Avenue, as shown on the map submitted with the ordinance. This is an area that qualifies as a "conservation area" under the state TIF statutes, in that most of the buildings in the area were built well over 35 years ago, and there are excessive vacancies, building abandonment and signs of dilapidation, obsolescence or deterioration. The area was the site of the original Wichita Clinic Building, which has recently been demolished. In 1988, the building was purchased by the State of Kansas and served as the regional office of the Kansas Department of Social and Rehabilitative Services (SRS). In 1995, the building and adjacent parking lots were purchased by the City of Wichita and Sedgwick County as part of the project to consolidate state agencies into the former Dillard's Building in downtown Wichita. It was sold to Rusty Eck and has remained vacant since 1995.

A local real estate development company, Loveland Properties L.L.C., proposes to purchase the former Clinic/SRS site and other property within the proposed redevelopment district and construct a mixed-use commercial development. The general plan for redevelopment calls for construction of a high-rise residential condominium building with an attached parking structure, several brownstone-type condominium town homes, a public pocket park, public parking facilities and a commercial retail building located at Douglas and Rutan. Tax increment financing would be used to pay for eligible redevelopment costs, which include (without limitation) land acquisition, demolition, site preparation, utilities, landscaping, paving, and public infrastructure.

Tax increment financing (TIF) allows the increased property tax revenue that results from the redevelopment of under-utilized property to be reinvested in the redevelopment. When a TIF district is established and a redevelopment plan is adopted by City Council, the increased tax revenue is set aside by the County Treasurer and can be used by the City to repay bonds issued to finance eligible improvements that are specified in the redevelopment plan and allowed under state law. Such improvements can be financed with TIF bonds or on a pay-as-you-go basis.

A TIF review team, consisting of staff from the City, County and USD 259 have met with the developer to examine the preliminary details of the proposed redevelopment project and consider whether the project either needs or merits public funding assistance. The developer has given firm assurances that he is not prepared to pursue the project further without the possibility of obtaining public funding assistance through TIF. He asserts that the high cost of land adjacent to the Rusty Eck property, which is necessary for successful completion of the project, cannot be supported by the anticipated cash flows generated by the project. That, and other factors such as rising construction costs and interest rates make this project especially risky. However, he has not been able to develop a financial analysis that clearly demonstrates the need for public funding, due to the preliminary stage of planning and the cost of developing such an analysis.

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The Board of County Commissioners and the Board of Education for USD 259 will have 30 days following the closing of the public hearing to determine whether establishment of the district will have an adverse impact on them, effectively precluding the use of tax increment financing. If the County and School District approve, or take no action in that time, the tax increment-financing district will be established.

It will still be up to the City Council to approve the actual use of tax increment financing by adopting a redevelopment plan for the Douglas and Hillside Redevelopment District that includes tax increment financing. Once a redevelopment plan is adopted and sent to the County Clerk, the tax increment revenue generated by redevelopment will be set aside and deposited into a special fund for its prescribed use. TIF revenue will continue to be set-aside in this way until all TIF-financed improvements have been paid, including the retirement of any TIF bonds.

The establishment of a redevelopment district will facilitate the use of tax increment financing to pay the cost of a portion of public improvements constructed in conjunction with the proposed Douglas and Hillside redevelopment project. Only if the project is approved, a redevelopment plan adopted, and the specific improvements authorized by Council action, will the tax increment revenues generated in the district will actually be utilized.

Economic Vitality and Affordable Living and Quality of Life. Redevelopment of blighted areas, and declining areas, are needed to avoid economic stagnation. Business prospects and workers seeking to relocate are attracted to a new city that takes care of its older sections.

The ordinance establishing the redevelopment district has been reviewed by the City's Law Department and approved as to form. The City Council may amend the proposed boundaries to reduce the size of the redevelopment district at the time of adoption of the ordinance.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard.

Mike Loveland

Developer stated that this is a very difficult and complex project and the land has been around and available for 10 years and many people have looked at it and passed on the project. Stated that they are willing to take the risk and undertake the project but only if TIF financing and district is established. Stated that he feels that they can solve a number of problems in that area and that it has been sitting there undeveloped for 10 years and a lot of people have wanted something to happen there. Stated that he feels that they can change that property from being office use into a residential character, which would blend in with the College Hill area and by using TIF financing, they can also create some park areas by creating additional parking that would help the retailers that surround the property. Stated that he feels that a project like this and of this magnitude could help stabilize that area. Stated that he understands that there may be a need for more financial analysis on the project and a continuance of the hearing and that he is comfortable with that and will do what he can to provide the Council with the information that they need.

Celia Gorlick

Ms. Gorlick stated that she is the President of the College Hill Neighborhood Association and resides at 402 South Crestway. Stated that several months ago, Mike Loveland came to a meeting of the College Hill Neighborhood Association and gave a presentation of this project to more than 200 neighbors who were in attendance. Stated that there were no architectural renderings at that meeting, the membership was supportive of Mr. Loveland's description of this residential and retail project. Stated that the best planners and historic area rehabbers recommend exactly this type of pedestrian friendly mixed-use development. Stated that the entire neighborhood is eager to see appropriate development on this very empty lot and the western quadrant of College Hill is endangered and in transition and they have an increase in rental properties, homes and lots that are not properly cared for pepper this quadrant and threaten the properties and their residence that continue to fight against this trend. Stated that they are an inner city neighborhood with a character that reflects the best of Wichita's history. Stated that a development of this nature and proportion would do much to stabilize property values, encourage better maintenance of existing properties, make the area more appealing to younger families with the energy to rehab a well built house and revitalize the historic retail area with much life left in it. Stated that they feel that it would be appropriate to expand this TIF to the south and the west to help create additional development that goes beyond this particular project.

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- Ted Morris Mr. Morris stated that he is the owner of the Crown Upton Dinner Theater and that they are going on their 30th year at that location. Stated that they have this neighborhood has been through a lot of changes and that there are wonderful businesses in this area and when Mr. Loveland came to him with this proposal, he was wholeheartedly in favor of it. Stated that he has talked to the other retail business people in that area on that block and have found no negative comments.
- Diane Fletcher Ms. Fletcher stated that she is the sales manager for Tradition Furniture store and they have been at that location for 22 years and is in total support of this project. Stated that they have dealt with the eyesore and crime for many years and thinks that this project can do nothing but improve their area and increase the quality of life and retail.
- Council Member Schlapp Council Member Schlapp stated that she feels that the Council should look at expanding the opportunity for the TIF.
- Motion--carried Schlapp moved that the public hearing be continued until August 1, 2006. Motion carried 6 to 0.

TRANS. SERVICES

TRANSPORTATION SERVICES AGREEMENT WITH SEDGWICK COUNTY.

Allen Bell Economic Development Administrator reviewed the item.

(Council Member Skelton momentarily absent)

Agenda Report No. 06-0711

Since 2002, the City of Wichita has entered into three consecutive revenue guarantee agreements with AirTran Airways that have resulted in an estimated \$85 million in cost savings to businesses and individuals flying in and out of Wichita Mid-Continent Airport. In 2005, the City entered into an agreement with Sedgwick County in which Sedgwick County agreed to contribute up to \$1 million to offset the City's financial obligation under that year's contract with AirTran.

On April 18, 2006, Governor Sebelius signed into law legislation that provides state funding in the amount of \$5 million per year for five years to support efforts to ensure affordable airfares in Kansas. The annual grants are to be made through the Regional Area Economic Partnership (REAP) for programs that provide more flight options, more competition for air travel, and affordable airfares for Kansas. The state funding requires a 25% local match.

On June 14, 2006, the Sedgwick County Board of County Commissioners approved a new contract with AirTran Airways for discount air service to Atlanta with a revenue guarantee capped at \$7 million. The revenue guarantee is based on block-hour costs of operating Boeing 717 jet service between Wichita and Atlanta, plus 10%. A block hour guarantee for service between Wichita and Orlando will be phased out by August 8, 2006.

Sedgwick County will submit an application to REAP for state funding for affordable air service from July 1, 2006 to June 30, 2007 in the amount of \$5 million. A local match of \$1.7 million is required to secure the state funding. However, \$2 million in local funding commitment is needed, in addition to the \$5 million in state funding, to cover the AirTran contract obligation. The proposed contract between the City and County will provide up to \$1 million of City funding to offset the County's \$2 million obligation.

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The proposed contract between the City and Sedgwick County is essentially a reversal of the roles of the parties to a similar contract entered into one year ago, in which the City had the financial obligation to Airtran, which was partially offset by the County's agreement to contribute up to \$1 million. The County's contribution was made, in full, when the City reached its threshold spending level of \$2.5 million. Under the proposed contract, the City will provide one-half of the local match requirement and additional funds, if needed to satisfy the County's obligation to AirTran, up to the not-to-exceed amount of \$1 million.

Funding for the 2006 transportation service agreement with Sedgwick County will come from funds transferred to the Economic Development Fund in the amount of \$1 million.

The contract has been approved as to form by the Department of Law.

Economic Vitality and Affordable Living. Affordable air service is one of the most critical cost factors impacting the decision of businesses to move to Wichita or to remain in Wichita. It also has a strong impact on the ability to attract and retain workers, and to provide a high quality of life to families in the region.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard.

Bob Weeks

Mr. Weeks stated that he resides at 2451 Regency Lakes Court and that in years past he has spoken to the Council expressing his opposition to the Airtran subsidy and at that time he was told that the subsidy was intended to be a short-term measure and four years later, with state funding planned for the next years, it looks as though the subsidy is a permanent fixture. Stated that he believes that there is no doubt that the fares are lower than what they would have been if not for the subsidy and that points to the subsidy's true achievement, which is government imposed price controls. Stated that its effect is to force many airlines to price their Wichita fares lower than they would otherwise and if it did not do that, there would be no reason to continue the subsidy. Stated that earlier this year the Wichita Eagle reported that there were fewer daily flights supplied to and from Wichita, from 56 last year to 42 at the time of the article. Stated that it has been explained that the financial woes of Delta and Northwestern Airlines are to blame for this reduction, which is demonstrably false as Northwestern recently added a daily flight to Wichita and both airlines have added and dropped flights on many of their routes, even though they are in bankruptcy. Stated that even though they are in bankruptcy, these airlines still desire to operate as profitably as possible. Stated that now we learn that legacy airlines, which are established older airlines, are revising their strategies and are beginning to look at the profitability of each route in flight and are not as interested as they have been in providing flights just for the sake of having a complete nation wide network. Stated that when we couple this change in airline strategy with our local price controls, he believes that we in Wichita are in danger of losing more service from the legacy airlines. Stated that if Airtran cannot earn a profit on a Wichita route at the fares that they charge, how can the legacy airlines be expected to do so and if they cannot earn a profit to our from Wichita and are beginning to scrutinize the profitability of each flight, can we expect them to continue providing service to and from Wichita. Stated that no government has ever been able to successfully impose price controls without the people suffering the harmful consequences. Stated that his fear is to hear that one-day the legacy airlines have reduced or even stop service to and from Wichita. Urged the Council to reconsider their support of the Airtran subsidy.

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Harry Clements

Mr. Clements stated that he is here to speak as a concerned citizen and taxpayer and has felt that there is something uniquely different about Wichita when it came to attracting airline traffic, he decided to quantify his suspicions with analysis done on his own time and expense. Stated that there was an evaluation done by WSU's Urban Studies Center prior to the initiation of the subsidy and they concluded that airline subsidies generally do not work. Stated that his analysis compared airline traffic in six regional cities, Des Moines, Kansas City, Oklahoma City, Omaha, Tulsa and Wichita and he found that Wichita ranked dead last on airline passenger traffic per capita and that none of the other cities need a subsidy to beat us. Stated that a more reasonable approach would be to find out why Wichita performed so poorly. Stated that one generally accepted factor, effecting traffic per capita income, Wichita was next to lowest. Stated that for this factor attracting relatively low wage businesses like retail outlets and call centers does not help and compared to equal efforts to attract other kinds of high-tech businesses might actually hurt, he did not feel that was sufficient to explain our overall poor performance. Stated that Wichita has about twice the number of pilots per capita then the other cities mentioned and it seemed possible that these pilots were flying personally owned or business owned airplanes on trips to the exclusion of taking airlines. Stated that a statistically correlation of this effect is found, that the more pilots in town, the less airline traffic. Stated that it is apparent that Wichita is not competing with Kansas City and Tulsa for airline traffic but that Wichita is competing with itself. Stated after doing his second study by comparing non-airline city to city flights for the six cities, it is confirmed that Wichita has substantially more non-airline flights per capita then the other cities to the extend that Wichita has 62% more non-airline flights then airline flights, while the norm for the region is to have less of these. Stated that it is hard to draw any other conclusion that this subsidy program needs to be reassessed.

Karl Peterson

Mr. Peterson stated that the biggest concern that he has is the price tag for remodeling the airport terminal, which is a price tag that is very large for a city that has approximately 350,000 people. Stated that he would like the Council to look at the broader picture as opposed to this item by itself.

Motion--
--carried

Mayans moved that the contract be approved; the necessary signatures authorized and any necessary budget adjustments authorized. Motion carried 7 to 0.

CVB

CVB/CITY TOURISM PARTNERSHIP PROGRAM FOR CHANNEL 7.

Jessica Johnson

Marketing Services Coordinator reviewed the item and introduced Olivia Simmons.

(Council Member Martz momentarily absent)

(Council Member Skelton momentarily absent)

Agenda Report No. 06-0712

The CVB and City of Wichita have been working cooperatively to develop a tourism-oriented program that would be shown on City Channel 7 and in area hotels to help visitors and residents know the many things there are to see and do in Wichita. The program will be approximately a half-hour to 45-minute tour of Wichita and all it has to offer. This program would run at regular daily times on Channel 7. A version of the program would also run continuously in hotels that are equipped to dedicate a channel to an in-house DVD player.

The following is an outline of the Wichita Program (items featured change monthly):

- I. Introduction (Council members alternate a welcome)
- II. Video Tour of Attractions and Events
 - a. Arts & Culture
 - b. Festivals & Events
 - c. Nature, Unique Experiences & City Recreation
 - d. Sports
 - e. Shopping & Entertainment

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- III. A Snapshot of Wichita
 - a. History
 - b. Industry
 - c. Education
 - d. Lifestyle
 - e. Public Amenities
- IV. Spotlight on Wichita
 - a. Changing monthly features on a special event, attraction, or organization
 - b. For example, May could feature River Festival and Cinco de Mayo events. June could feature Music Theatre's season or the Summer Concerts throughout the city.
- V. Calendar of Events
 - a. Bulletin format that the viewer would read, highlighting special activities that month.
- V. Credits
 - a. Thanks to attractions
 - b. Where to find more information: Phone & Website listings

This program will help the citizens of Wichita be more educated on all entertainment opportunities. Additional benefits include increased tourism and visitor numbers and extended hotel stays to visit area attractions. Added value is the ability to use this as a recruitment tool for companies recruiting out of town employees to Wichita.

The Convention & Visitors Bureau, along with the City of Wichita, has been meeting for several months to compile this program. After careful review and analysis, it was determined that the attractions would not have to pay for being in this program. This effort is meant to support on-going marketing activities of the cultural attractions and activities.

In the development phase, the CVB selected First Generation Video to serve as the third partner in this program. First Generation Video has been operating a proprietary concept called "The Welcome Channel" for the City of Hutchinson. It is also a public-private partnership that utilizes the City's channel 7 for high quality community promotional programming. First Generation Video has also done similar promotional videos for the State of Kansas.

All three partners of this concept will invest in the program:

- City and Convention & Visitors Bureau: \$75,000
- o The City and CVB portion of the budget of \$75,000 will be funded through the Tourism & Convention Fund.
- o \$55,000 from C & T Fund line item "Tourism Research and/or Marketing"
- o \$20,000 from C & T Fund line item "Convention Promotion Contingency"
- First Generation Video: \$40,000 primarily by selling advertising space on the DVD version for the hotel channels.

According to the Transforming Wichita goals approved by City Council, this project will impact "Economic Vitality," because the City's quality of life is connected to the vitality of our cultural organizations. By encouraging attendance at the events and activities, the City and CVB are supporting the cultural attractions for their own economic strength. "Enhanced Quality of Life" will also be impacted by educating the citizens on the many things there are to see and do in Wichita, they will be more aware of their cultural opportunities and support the activities and events in Wichita, possibly even inviting out of town guests to participate in Wichita's activities. This program will also help accomplish some of the goals outlined in the "Visioneering Wichita" document.

There are no legal considerations because the contract with First Generation Video is with the Convention and Visitors Bureau.

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Olivia Simmons

Ms Simmons stated that the CVB, City staff and a company called First Generation Video have combined to form a unique public/private partnership that will utilize the City's Channel 7 to provide high quality, community promotional programming that they call The Wichita Welcome Channel. Stated that this project will allow us to share information on our attractions, events and facilities with not just our citizens but visitors alike and will offer approximately 30-45 minute tours of Wichita and everything there is to do and see while you are here, approximately five times a day via Channel 7. Stated that visitors will see a positive impression of Wichita, which will enhance their time spent here, encourage them to stay longer, spend additional dollars and ultimately return for future visits. Stated that in addition, the Wichita Welcome Channel will be seen by our residents allowing them to educate the community about public resources and creating well-informed citizens. Stated that their goals for this project are to improve civic pride through better understanding and knowledge of our local assets, strengthen our attractions and events by increasing local attendance, encourage economic development by creating an accessible tool that anyone can use for attracting business, new residence and recruiting new employees. Stated that his program will include a musical introduction and a welcome by the Mayor, a tour of Wichita area attractions and events outlining our City recreational areas, sports, arts and culture, festivals, shopping and entertainment areas. Stated it will also include a snapshot of Wichita depicting our history, industry, our education, lifestyle, medical facilities and all public amenities, such as our airport, our public transportation and library. A spotlight on Wichita, which will change monthly, will feature a special event and attraction. Stated that in addition to the Channel 7 project, a separate version of the program will also run continuously in hotels that are equipped to dedicate a channel to an in-house DVD player, reaching even more visitors while they are here. Stated that the Greater Wichita Convention of Visitors Bureau will provide the administration of this program and First Generation Video will be responsible for all coordination and production. Stated that they are looking to begin production in August and to have the welcome channel to begin airing by Thanksgiving.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--

Mayans moved that the allocation from the Convention & Tourism contingency fund be approved so that the Convention & Visitors Bureau, City of Wichita and First Generation can enter into a partnership to create this new program. Motion carried 7 to 0.

--carried

LATINO SOCCER

LEASE AGREEMENT BETWEEN THE CITY OF WICHITA, DEPARTMENT OF PARK AND RECREATION AND THE LATINO SOCCER LEAGUE, INC.

Larry Foos

Recreation Superintendent reviewed the item.

(Council Member Gray momentarily absent)

Agenda Report No. 06-0713

Based on findings from the Alternative Revenue Task Force and direction from the City Council, staff has had discussions with the soccer associations regarding the assumption of maintenance duties at city soccer fields by the association in exchange for the City of Wichita not collecting user fees from the soccer associations. Representatives from the Latino Soccer League met with staff in March to begin discussions on a formal lease agreement with the City for the soccer fields located on 35th and Ohio.

In March of 2006 staff began developing a lease agreement and continued to negotiate the terms of the agreement with the Latino Soccer League, Inc. On November 16, 2004, at a City Council work session, staff was directed to include in these types of agreements, maintenance standards, fees, insurance, nuisance/annoyance issues and an inventory review in the lease agreement. A lease agreement has been created to the satisfaction of city staff and the Latino Soccer League, Inc.

As per City Council recommendations, any budgetary savings generated from this lease agreement will be used to enhance other grounds maintenance duties within the department.

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This agreement will impact the Quality of Life Goal. Latino Soccer League, Inc. will provide ongoing recreational and competitive soccer activities, leagues and tournaments for the citizens of Wichita.

The Law Department approved the lease agreement as to form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

MAMBDC

CONTRACT-MIDAMERICA MINORITY BUSINESS DEVELOPMENT COUNCIL.

Kelly Carpenter

Director of Finance reviewed the item.

Agenda Report No. 06-0714

The City Council approved funding in 1999 and 2004 for funding assistance in the amount of \$35,000 for the former Kansas Minority Business Development Council that merged currently with the MidAmerica Minority Business Development Council in 2006 for economic development services. Staff has developed the necessary contractual documents and performance measurements.

The MidAmerica Minority Business Development Council (MAMBDC) is a non-profit organization that was created in 1983 (formerly the Minority Supplier Council). Its mission statement is to promote and enhance minority owned business enterprises by increasing business opportunities and access to mainstream markets. The intent of the organization is to grow the number, capacity and average gross receipts of minority business through linkages with majority businesses. WMBDC will provide programs and events, along with networking opportunities to target minority business growth.

A contract has been negotiated with the MAMBDC, which establishes performance measures and performance outcomes. MAMBDC 2006 performance measures and performance outcomes are shown in Exhibit B. Minority owned businesses would be served under the contract. The contract term is July 11, 2006 to June 30, 2007.

The contract amount is \$30,000 and funding is appropriated in the 2006-adopted budget.

Promote Economic Vitality and Affordable Living goal by MAMBDC is to grow the number, capacity and average gross receipts of minority businesses through linkages with majority businesses.

The contract has been reviewed and approved as to form by the Law Department.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Council Member Gray

Council Member Gray stated that since there were so many questions regarding this issue at the workshop, perhaps it would be in the best interest of the Council to refer this request to the City's Diversity Task Force, which oversees our process and how we work with minorities and small emerging businesses to get their recommendation on whether or not they think this is the best use of a funding grant and at that point in time the Council can chose whether or not it is the best course of action.

Motion--
--carried

Gray moved that the City Council defer this action at this point in time and ask the Diversity Task Force to make a recommendation on this request and seek any input and suggestions they may offer. Motion carried 7 to 0.

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PUBLIC NUDITY

AMENDMENT TO SECTION 5.68.260 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO PUBLIC NUDITY.

Gary Rebenstorf

Director of Law reviewed the item.

Agenda Report No. 06-0715

The Kansas Legislature enacted HB 2284 to ensure that any mother has the right to breastfeed her child in any public place where she has a right to be. The proposed exception must be enacted to avoid the potential of occasional, monetary violations of the existing nudity ordinance during the breastfeeding process.

The amendment to City of Wichita Ordinance 5.68.260 must be passed, in order to comply with the provisions of HB 2284, which has a uniform state law, would render unenforceable the City's existing public nudity ordinance in certain situations.

Provide a Safe and Secure Community. This amendment will allow the Police Department and Law Department to continue to charge and prosecute violations of the Public Nudity laws within the bounds allowed by state law.

The City of Wichita Law Department drafted the amended ordinance and approved it as to form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the ordinance be placed on first reading and the necessary signatures authorized. Motion carried 7 to 0.

ORDINANCE

An ordinance amending section 5.69.260 to include 5.68.260b (3) of the code of the City of Wichita, Kansas, pertaining to exceptions to public nudity prohibitions, and repealing the original of said section. introduced and under the rules laid over.

COURT COSTS

AMENDMENT TO SECTION 1.04.070 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE SCHEDULE OF COSTS FOR ALL MUNICIPAL COURT CASES

Gary Rebenstorf

Director of Law reviewed the item.

(Council Member Schlapp momentarily absent)

Agenda Report No. 06-0731

The City of Wichita has exempted itself by charter ordinance from the state statute court cost limitations, but complies with the court costs that state statute sets out to be collected and remitted for the funding of various state law enforcement and court agencies.

In HB 2122, the legislature this past session increased base court costs by ten dollars. The City is required to pay those increased costs to the State. This proposed ordinance increase will keep the Municipal Court costs aligned with the K.S.A. 12-4117, and will require those defendants successfully prosecuted or diverted to pay the costs attributable to their convictions.

The full increase will be transmitted to the State of Kansas.

This ordinance will advance the goal of a Safe and Secure community, as it will allow criminal enforcement in the City to continue without imposing an additional charge per case prosecuted for State functions.

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The City of Wichita Law Department drafted the amended ordinance and emergency declaration, approved them as to form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that a public emergency be declared and the ordinance making the recommended amendments to City Code section 1.04.070 be adopted. Motion carried 7 to 0.

ORDINANCE NO. 47-066

An Ordinance amending Section 1.04.070 of the Code of the City of Wichita, Kansas, pertaining to the schedule of costs for all municipal court cases, and repealing the original of said section. Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, Mayans.

Mayor Mayans

Mayor Mayans stated that they would pass over item 30, General Obligation Bond and Note Sale because the numbers are not ready at this time.

(Action on this item is shown in agenda order)

GOB

GENERAL OBLIGATION BOND AND NOTE SALE.

Kelly Carpenter

Director of Finance reviewed the item.

Agenda Report No. 06-0716

The City is offering for sale two series of general obligation temporary notes totaling \$58,845,000 (Series 216 and 217) and two series of general obligation bonds (Series 786 and 786A) totaling \$11,495,000 for the purpose of providing permanent financing for capital improvement projects of the City.

The proceeds from the sale of the Series 216 and 217 Improvement and Renewal Notes will be used to provide interim financing for City-at-large, improvement district projects and improvements located within the East Bank Tax Increment Financing District. Due to the nature of the improvements located within the East Bank Tax Increment Financing District, the Series 217 Improvement and Renewal Notes are taxable under Federal law. The proceeds from the sale of the Series 786 and 786A Bonds will be used to permanently finance neighborhood improvements located in special improvement districts.

Sealed bids will be accepted via facsimile, walk-in sealed bids or electronically through I-Deal, LLC/PARITY Electronic Bid Submission System until 10:30 a.m. CST in the Finance Conference Room, at which time the bids will be publicly opened. No bids will be accepted after the 10:30 a.m. deadline. The bids will be verified, tabulated and presented to the City Council at its earliest convenience following the tabulation of the bids. By law, the City must award the sale of the bonds and notes to the bidder whose proposed interest rates result in the lowest true interest rate.

The Series 216 and 217 Temporary Notes will mature February 8, 2007, and will be retired using cash, the proceeds of both permanent financing bonds and renewal notes issued at that time. The Series 786 Bonds will mature serially over fifteen years and will be paid from special assessments that are levied against benefited property. The Series 786A Bonds will mature serially over twenty years and will be paid from special assessments that are levied against benefited property. The Series 786 Bonds will be callable in 2013 and the Series 786A Bonds will be callable in 2016 with a 1% call premium, in accordance with the City's debt management policy.

This item impacts the Economic Vitality/Affordable Living and Internal Perspectives through the temporary and permanent financing of capital improvements and offering the City's debt obligations through competitive sale.

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Bond Counsel will review and approve the bids and the Law Department will approve the authorizing Ordinances and Resolutions, which have been prepared by Bond Counsel.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--

Mayans moved that to direct the opening and reading of the bids; award the sale of the Bonds and Temporary Notes; and find and declare, upon the request of the Mayor, that a public emergency exists, requiring the final passage of the Bond and Note Ordinances on the date of their introduction, the Bond and Note Ordinances and Resolutions be adopted and the publication thereof authorized.

--carried

Motion carried 7 to 0.

RESOLUTION NO. 06-391

A resolution providing for the issuance of general obligation renewal and improvement temporary notes, series 216, of the City of Wichita, Kansas, in the total principal amount of \$54,455,000, for the purpose of providing the necessary funds to renew a portion of the principal amount of temporary notes previously issued for the interim financing of costs in connection with previously commenced capital improvements in the City, and for the interim financing of costs in connection with newly commenced capital improvements in the City; prescribing the terms and details of the notes; providing for the payment of the principal of and the interest on the notes, and making certain other covenants and agreements with respect to the notes. presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-392

A resolution providing for the issuance of general obligation renewal temporary notes, series 217 (taxable under federal law), of the City of Wichita, Kansas in the total principal amount of \$4,390,000, for the purpose of providing the necessary funds to renew a portion of the principal amount of temporary notes previously issued for the interim financing of costs in connection with previously commenced capital improvements in the City; prescribing the terms and details of the notes; providing for the payment of the principal of and the interest on the notes, and making certain other covenants and agreements with respect to the notes presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-393

A resolution providing for the issuance of general obligation bonds, series 786, of the City of Wichita, Kansas, in the total principal amount of \$10,575,000, for the purpose of providing the necessary funds to pay costs in connection with the making of capital improvements in the City; prescribing the terms and details of the bonds; and making certain other covenants and agreements with respect to the bonds presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-394

A resolution providing for the issuance of general obligation bonds, Series 786A, of the City of Wichita, Kansas, in the total principal amount of \$920,000, for the purpose of providing the necessary funds to pay costs in connection with the making of capital improvements in the City; prescribing the terms and details of the bonds; and making certain other covenants and agreements with respect to the bonds presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton and Mayans.

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ORDINANCE NO. 47-067

An ordinance authorizing and providing for the issuance of general obligation renewal and improvement notes, Series 216 of the City of Wichita, Kansas, in the total principal amount of \$54,455,000, for the purpose of providing the necessary funds to renew a portion of the principal amount of temporary notes previously issued for the interim financing of costs in connection with previously commenced capital improvements in the city., and for the interim financing of costs in connection with newly commenced capital improvements in the city; providing for the payment of the principal of and interest on the notes; and making certain other covenants and agreements with respect to the notes. Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, Mayans.

ORDINANCE No. 47-068

An ordinance authorizing and providing for the issuance of general obligation renewal temporary notes, Series 217 (taxable under federal law), of the City of Wichita, Kansas, in the total principal amount of \$4,390,000, for the purpose of providing the necessary funds to renew a portion of the principal amount of temporary notes previously issued for the interim financing of costs in connection with previously commenced capital improvements in the city; providing for the payment of the principal of and interest on the notes; and making certain other covenants and agreements with respect to the notes, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

ORDINANCE No. 47-069

An ordinance authorizing and providing for the issuance of general obligation bonds, Series 786, of the City of Wichita, Kansas, in the total principal amount of \$10,575,000, for the purpose of providing the necessary funds to pay costs in connection with the making of capital improvements in the city; providing for the levy and collection of an annual tax for the purpose of providing for the payment of the principal of and interest on the bonds as it becomes due and payable; and making certain other covenants and agreements with respect to the bonds, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

ORDINANCE NO. 47-070

An ordinance authorizing and providing for the issuance of general obligation bonds, Series 786A, of the City of Wichita, Kansas, in the total principal amount of \$920,000, for the purpose of providing the necessary funds to pay costs in connection with the making of capital improvements in the city; providing for the levy and collection of an annual tax for the purpose of providing for the payment of the principal of and interest on the bonds as it becomes due and payable; and making certain other covenants and agreements with respect to the bonds, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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151ST IMPROV

151ST STREET WEST IMPROVEMENT BETWEEN MAPLE AND ½ MILE SOUTH OF MAPLE. (DISTRICT V)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0717

The 2005-2014 Capital Improvement Program (CIP) adopted by the City Council includes a project to improve 151st St. West between Kellogg and Maple in 2006. It is proposed that the unpaved section of 151st Street between Maple and ½ mile south of Maple be paved to a two-lane asphalt mat standard. District V Advisory Board sponsored a June 5, 2006, neighborhood hearing on the project. The Board voted 8-0 to recommend approval of the project.

The new pavement will match the existing paved section of 151st Street from Kellogg to ½ mile north of Kellogg. Construction is planned to begin this summer.

The budget contained in the CIP is \$250,000. The current estimated project cost is \$400,000, which includes \$40,000 previously approved by the City Council for design expenses. The funding source is General Obligation Bonds. Funding for the increased City cost is available from savings in the 29th St. North improvement, between Tyler and Maize, which has been cancelled.

This project addresses the Ensure Efficient Infrastructure goal by improving a vital arterial street. It also addresses the Economic Vitality and Affordable Living goal by providing a public improvement necessary for the private sector's development of the surrounding area.

The Law Department has approved the authorizing Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Martz moved that the project be approved and the Ordinance placed on first reading. Motion carried 7 to 0.

ORDINANCE

An ordinance declaring 151st Street West, between Maple and ½ mile south of Maple (472-84318) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

HILLSIDE IMP.

HILLSIDE IMPROVEMENT, BETWEEN KELLOGG AND CENTRAL. (DISTRICTS I AND II)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0718

On October 21, 2003, the City Council approved a project to improve Hillside between Kellogg and Central. Based on current bid prices, it is doubtful that a construction contract can be awarded within the approved budget. An amending Ordinance has been prepared to increase the project budget.

The project will reconstruct Hillside to provide four through lanes and a center two-way left turn lane. Left turn lanes will be provided at the north and south approaches to the Hillside/Douglas, Hillside/1st and Hillside/2nd Street intersections, as well as the west approach at Douglas.

The current budget is \$4,550,000, with \$2,100,000 paid by the City and \$2,450,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds. The proposed increased budget is \$5,540,000, with \$2,350,000 paid by the

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City and \$3,190,000 paid by Federal Grants. Funding for the increased City cost has been programmed in the Approved 2005-2014 Capital Improvement Program.

This project addresses the Efficient Infrastructure goal by improving traffic flow through a major traffic corridor.

The Law Department has approved the amending Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Schlapp moved that the revised budget be approved; the amending Ordinance placed on First Reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

ORDINANCE

An ordinance amending ordinance no. 45-919 of the City of Wichita, Kansas declaring Hillside, from Kellogg to Central (472-83862) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

CENTRAL IMPROV

CENTRAL IMPROVEMENT, BETWEEN OLIVER AND WOODLAWN. (DISTRICTS I AND II)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0719

On November 4, 2003, the City Council approved a project to improve Central between Oliver and Woodlawn. The project is funded by a combination of City and Federal funds. Based on current bid prices, it is doubtful that a construction contract can be awarded within the approved budget. Additional Federal funds are available for the cost increase. An amending Ordinance has been prepared to revise the project budget.

The project will reconstruct Central to provide four through lanes and a center two-way left turn lane.

The current budget is \$3,825,000, with \$2,125,000 paid by the City and \$1,700,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds. The proposed increased budget is \$4,885,000, with \$2,125,000 paid by the City and \$2,760,000 paid by Federal Grants.

This project addresses the Efficient Infrastructure goal by improving traffic flow through a major traffic corridor.

The Law Department has approved the amending Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Brewer moved that the revised budget be approved; the amending Ordinance placed on First Reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

ORDINANCE

An ordinance amending ordinance No. 45-928 of the City of Wichita, Kansas declaring Central Avenue between Oliver and Woodlawn (472-83873) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

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CENTRAL IMPROV CENTRAL IMPROVEMENT, BETWEEN WOODLAWN AND ROCK ROAD. (DISTRICT II)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0720

On November 4, 2003, the City Council approved a project to improve Central between Woodlawn and Rock. The scope of the project has expanded to include the Central/Woodlawn intersection because of deteriorating pavement. Based on current bid prices, it is doubtful that a construction contract can be awarded within the approved budget. An amending Ordinance has been prepared to revise the project budget.

The project will reconstruct Central to provide four through lanes and a center two-way left turn lane.

The current budget is \$3,865,000, with \$1,415,000 paid by the City and \$2,450,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds. The proposed increased budget is \$4,858,000, with \$1,730,000 paid by the City and \$3,128,000 paid by Federal Grants. Funding for the increased City cost is available from under expenditures in the Rock Road improvement, between 22nd and 29th St. North.

This project addresses the Efficient Infrastructure goal by improving traffic flow through a major traffic corridor.

The Law Department has approved the amending Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Schlapp moved that the revised budget be approved; the amending Ordinance placed on First Reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

ORDINANCE

An ordinance amending ordinance no. 45-927 of the City of Wichita, Kansas declaring Central Avenue between Woodlawn and Rock (472-83874) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

PAWNEE IMPROV PAWNEE IMPROVEMENT, FROM WASHINGTON TO HYDRAULIC. (DISTRICT III)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0721

On October 21, 2003, the City Council approved projects to improve Pawnee, from Washington to Hydraulic and the intersection of Pawnee at Washington. Based on current bid prices, it is doubtful that a construction contract can be awarded within the approved budgets. An amending Ordinance has been prepared to increase the project budget and to combine the two projects so the improvements can be let as one project.

The project will reconstruct Pawnee to provide four through lanes and a center two-way left turn lane. Left turn lanes will be constructed at all four approaches to the intersection of Pawnee and Washington.

The current budgets total \$4,210,000, with \$2,225,000 paid by the City and \$1,985,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds. The proposed increased budget is \$5,160,000, with \$3,000,000 paid

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by the City and \$2,160,000 paid by Federal Grants. Funding for the increased City cost has been programmed in the Approved 2005-2014 Capital Improvement Program.

This project addresses the Efficient Infrastructure goal by improving traffic flow through a major traffic corridor.

The Law Department has approved the amending Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Skelton moved that the revised budget be approved; the amending Ordinance placed on First Reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

ORDINANCE

An ordinance amending ordinance no. 45-915 of the City of Wichita, Kansas declaring Pawnee, from Washington to Hydraulic (472-83858) to be a main trafficway within the city of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

PETITION

PETITION TO PAVE GOVERNOR AND OSIE CIRCLE SOUTH OF HARRY. (DISTRICT III)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0722

The signatures on the Petition will represent 3 of 8 (37.5%) resident owners and 83% of the improvement district area. One of the tracts in the improvement district is owned by the City of Wichita. District III Advisory Board sponsored a June 7, 2006, neighborhood hearing on the project. The Board voted 6-4 to recommend approval of the project.

The project will provide paved access to a developed commercial area located south of Harry, west of Rock. The City owned tract is the site of a water booster station.

The estimated project cost is \$275,000 with the total assessed to the improvement district. The method of assessment is the fractional basis. The estimated assessment to individual properties is \$00.24 per square foot of ownership. The City's share of the project is \$212,065. The funding source for the City share is the Water Utility.

This project will address the Efficient Infrastructure goal by providing paving improvements for commercial development.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Council Member Skelton

Council Member Skelton stated that he was contacted by one of the property owners in this benefit district who several years ago had donated land to the City in that area and is asking for some consideration due to this fact in regards to the assessment that would be applied to her. Stated that he would like to ask the Council to allow him to defer this issue so that he can meet with staff to determine what would be in the best interest of the City and for this citizen.

Motion--carried

Skelton moved to defer this item until the August 1st Council Meeting. Motion carried 7 to 0.

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PLANNING AGENDA

Motion-- Mayans moved to approve Consent Planning items 39-42 as approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.
--carried

DER2006-07

DER2006-07-AMENDMENT TO THE COMPREHENSIVE PLAN.

John Schlegel

Director of Planning reviewed the item.

Agenda Report No. 06-0723

The 1993 Wichita-Sedgwick County Comprehensive Plan included a Visual Form Map in an effort to improve the quality of the physical built environment in Wichita. It focused upon vistas, corridors, landmarks and other community amenities for upgrading the public environment, improving standards for public and private development, and creating greater community awareness of the importance of its visual image.

In August 2005, the City's Design Council requested the assistance of MAPD staff in updating the Visual Form Map. Following several meetings, The Priority Enhancement Areas for Wichita Public Infrastructure Projects Map was developed to be a replacement of the 1993 Visual Form Map. It is intended to guide efforts to improve community perception and increase the sense of quality of life in Wichita through emphasis of the visual character of public facilities and open spaces. Its purpose is to help the City with prioritizing City of Wichita public works projects along specified corridors, at gateways, and at other selected locations for aesthetic improvements including landscaping, public art, and other visual enhancements to public facilities and rights-of-way.

The Advance Plans Committee of the MAPC directed staff to also visit with County staff to see if there was any interest in making similar designations and types of improvements in the unincorporated areas of the County. Staff met with County staff on March 7, 2006, and County Commissioners on April 11, 2006, and their feedback was not supportive of extending these concepts into unincorporated areas. However, many of them did think this was a positive idea for the City of Wichita to be doing.

The Priority Enhancement Areas for Wichita Public Infrastructure Projects Map presented to the City Council is proposed to be adopted as an amendment to The Wichita-Sedgwick County Comprehensive Plan. The map was reviewed and endorsed by the Metropolitan Area Planning Commission on June 1, 2006.

Consideration was given in developing the Priority Enhancement Areas for Wichita Public Infrastructure Projects Map so that all Council Districts would have opportunities to benefit from the effort to improve the aesthetics of major corridors, gateways and other selected locations in the community. The map will be reviewed periodically and revised so that it is kept up to date with changes in the community.

Alternatives: Two alternatives are available to the City Council now that the MAPC has adopted the Priority Enhancement Areas for Wichita Public Infrastructure Projects Map as an amendment to The Wichita-Sedgwick County Comprehensive Plan:

- a) Approve first reading of the Ordinance adopting the Priority Enhancement Areas for Wichita Public Infrastructure Projects Map as an amendment to the Comprehensive Plan;
- b) Others actions deemed appropriate by the City Council.

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Adopting the Priority Enhancement Areas for Wichita Public Infrastructure Projects Map involves no commitment of funding; however, the Map identifies potential improvement corridors and areas effecting CIP projects that, if implemented, could total millions of dollars in expenditures. These improvements could potentially be funded from several sources, including federal grants and City funds. Funding decisions associated with each implementation initiative will receive separate approval, and the decision will be based, in part, on a detailed cost-benefit analysis.

Enhance the Quality of Life

- Ø Citizens are retained in the community
- Ø Citizens are satisfied with the quality of life
- Ø Citizens receive a return on all of their quality of life investments

By applying public art and aesthetic enhancements to infrastructure and right-of-way projects all citizens will feel that they benefit from the investment which will give residents a greater satisfaction with the quality of life in Wichita and contribute to retention of citizens in the community and favorable impressions of the community to visitors.

The MAPC, in accordance with Kansas state statutes, held a public hearing for the proposed Priority Enhancement Areas for Wichita Public Infrastructure Projects Map on June 1, 2006, with the required notice of public hearing published in the official City newspaper on May 11, 2006. The MAPC approved a resolution adopting the Plan as an amendment to The Wichita-Sedgwick County Comprehensive Plan. The adopting Ordinance has been reviewed and approved as to form.

Motion--

Mayans moved that the Priority Enhancement Areas for Wichita Public Infrastructure Projects Map as an amendment to The Wichita-Sedgwick County Comprehensive Plan be adopted and the Ordinance placed on first reading. Motion carried 7 to 0.

--carried

ORDINANCE

An Ordinance adopting the priority enhancement areas for Wichita Public Infrastructure Projects Map as an amendment to the Wichita-Sedgwick County Comprehensive Plan, introduced and under the rules laid over. (DER2006-07)

CUP2006-16

CUP2006-16-ASSOCIATED WITH ZON2006-20-CREATE DP-297, PEARSON COMMERCIAL COMMUNITY UNIT PLAN; ZONE CHANGE TO "GC" GENERAL COMMERCIAL AND "LC" LIMITED COMMERCIAL. GENERALLY LOCATED ON THE EAST SIDE OF MAIZE ROAD ¼ MILE SOUTH OF 29TH STREET NORTH. (DISTRICT V)

Agenda Report No. 06-0724

MAPC Recommendations: Approve, subject to staff conditions, vote (11-0).

MAPD Staff Recommendations: Approve, subject to conditions.

DAB Recommendations: Approve subject to MAPC conditions (8-0).

The applicant proposes to create a commercial Community Unit Plan containing approximately 36 acres with 11 parcels zoned "LC" Limited Commercial for commercial development on the southeast corner of Maize Road and 37th Street North. Currently the property is zoned "SF-5" Single-family Residential.

Parcels 1-10 are parcels located along Maize Road and 37th Street North. They range in size from 0.9 acre to 2.23 acres (Parcel 1 - 1.55 acre, Parcel 2 - 1.27 acre, Parcel 3 - 1.39 acre, Parcel 4 - 1.38 acre, Parcel 5 - 2.23 acres, Parcel 6 through 9 - 0.97 acre each, Parcel 10 - 0.90 acre). Parcel 11 is the main parcel. It has 23.27 acres and is connected to Maize Road and 37th Street North with a main entrance off each street frontage. A portion of this parcel will be used for drainage/detention purposes. Most likely this will be in the area directly east of the Parcels 1-4 and along the southern edge of the tract.

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Allowed uses would be those permitted by right in the LC district except: adult entertainment establishment, correctional placement residence, asphalt/concrete plant, pawn shop and storage-outdoor as a separate use. Additionally, convenience stores, service stations, auto repair, car washes, restaurants with drive-in or drive-through windows, and taverns and drinking establishments would be prohibited within the south 200 feet of Parcels 1 and 11 and within the east 150 feet of Parcels 10 and 11. Overhead doors would be prohibited within 200 feet of residential zoning and overhead doors could not be facing residential zoning. Car washes would be prohibited within 200 feet of residential zoning, and, in those areas where not prohibited, would be subject to the additional requirements of the supplementary use regulations of Sec. III-D.6.f of the Unified Zoning Code.

Outdoor storage and display is permitted on Parcel 11 as an accessory use. Screening of outdoor storage and display would be per standards for the LC Limited Commercial district, except that outdoor storage would be allowed to increase from 10 percent to 20 percent, which is the amount allowed in LC subject to a conditional use approval. The approval of this use in the CUP would be considered granting the conditional use for additional outdoor storage area, but would be subject to site plan review by the Director of Planning, with concurrence of the Zoning Administrator and Traffic Engineer, to ensure compliance with LC site design standards for outdoor storage.

Maximum building coverage and gross floor area is shown as 35 percent for Parcels 1-8, 30 percent for Parcels 9 and 10, and 27 percent for the area of Parcel 11 (not including the area used for detention). Total maximum building coverage and gross floor area for the CUP would be 30 percent. Building height is shown as 45 feet for Parcel 11 and 35 feet for Parcels 1-10. The total number of buildings is proposed as 16, with one building on each of the smaller parcels and five on Parcel 11. Building setbacks are shown as 35 feet on along Maize Road, 37th Street North and exterior property lines. Internal building setbacks on parcels are shown as 15 feet. If a parcel is developed with a building of more than 100,000 square feet of gross floor area, the building setback increases to 100 feet on the south and west property lines and 35 feet on the interior parcel boundaries.

Buildings would have uniform architectural compatibility of character, color, texture and same materials (further defined as similar to surrounding residential areas), and would use earth-tone colors predominately. Parking lots would have similar or consistent lighting elements, limited to 25 feet in height, and reduced to 15 feet in height within 100 feet of residential zoning with residential use. Parking would be per code, but allows for use of Parcels 6-10 as parking areas for Parcel 11 if needed by future development, particularly if the CUP is developed with a shopping center type of building rather than a big box type of use on the main parcel.

A six-foot masonry wall would be constructed along property abutting residential zoning. The Sedgwick County bike path is shown on the CUP as a 10-foot asphalt sidewalk. The CUP requires a site plan to provide for smooth internal flow of vehicular traffic and for pedestrian connections between buildings and with the arterial sidewalk system.

Monument signage requested slightly exceeds the amount allowed by the Wichita Sign Code, and it is recommended the overall limit on sign face area of 0.8 times linear frontage be added. The number of signs requested is 14 monument signs, 11 signs with a maximum height of 20 feet and an maximum sign face area of 150 square feet, plus three signs with a maximum height of 30 feet and maximum sign face area of 200 square feet. This is equivalent to 17 signs (signs that are 30 feet in height are counted as occupying two sign locations by the Wichita Sign Code), which is the number of signs allowable based on the linear frontage of the CUP. Spacing of 100 feet is requested only between the 30' signs and 20' signs, rather than 150 feet apart. Otherwise, the signs would be spaced 150 feet apart. Portable and off-site signs are prohibited. Window displays would be limited to 25 percent of window area and signs on the rear would be prohibited.

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The property currently is zoned SF-5 and is in agricultural use. The property to the east and south is owned by USD#266 Maize School District. A portion of the 280 acres is developed with Maize South Middle School and the remaining land is being held for future school development. The property to the west of Maize Road is in large lot residential use or agricultural use, but has been platted and is being zoned for commercial use. A 25-acre tract on the northwest corner of Maize and 37th Street North is zoned LC and approved for commercial development (DP-262 37th & Maize Commercial CUP), but is currently undeveloped. The property to the north of 37th Street is located in the city of Maize. An eight-acre tract is being developed with an institutional use (Wichita State University) and approximately 25 acres is available for commercial use.

At the District V Advisory Board meeting held May 1, 2006, the board voted (8-0) to approve subject to the MAPC recommendation. A question was asked if agreements were in place for improvements and maintenance of 37th Street North and Maize since the jurisdiction is split between Wichita and Maize. The responsibility has been determined by an agreement between the two jurisdictions.

At the MAPC meeting held April 20, 2006, they voted (11-0) to approve subject to staff recommendation. No citizens were present to speak on the proposal. No protests have been received.

The recommendation is that the application be APPROVED subject to platting within one year and subject to the following conditions:

- A. APPROVE the zone change (ZON2006-07) to LC Limited Commercial subject to platting of the entire property within one year;
- B. APPROVE the Community Unit Plan (DP-295), subject to the following conditions:
 - 1. The applicant shall guarantee center left turn lanes and right-turn decel lanes to all full movement approaches at time of platting.
 - 2. Add to General Provision 4: (not including metal as a predominant exterior façade material).
 - 3. Add General Provision 10K: The total amount of sign face area of freestanding signage along each arterial street shall not exceed 0.8 times the linear frontage.
 - 4. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
 - 5. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
 - 6. All property included within this CUP and zone case shall be platted within one year after approval of this CUP by the Governing Body, or the cases shall be considered denied and closed. The resolution establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.
 - 7. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-295) includes special conditions for development on this property.
 - 8. The applicant shall submit 4 revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

Promote Economic Vitality and Affordable Living.

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The ordinance has been reviewed and approved as to form by the Law Department.

Motion--

Martz moved that the findings of the MAPC be adopted; approve the zone change subject to the plat being completed within one year with the one year time frame beginning to run from the last date of approval of the appropriate federal, state and city agencies responsible for drainage, storm water and other relevant platting issues, approve the CUP and instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council. Motion carried 7 to 0.

--carried

CUP2004-29

CUP2004-29, CUP2004-30 (DP-277) AND ZON2004-34, ZON2004-35-EXTENSION OF TIME TO COMPLETE THE PLATTING REQUIREMENT FOR THE BRUCE BROWN COMMERCIAL COMMUNITY UNIT PLAN AND A ZONE CHANGE FROM "SF-5" AND "SF-20" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL. GENERALLY LOCATED EAST OF GREENWICH ROAD AND ¼ MILE SOUTH OF 21ST STREET NORTH. (DISTRICT II)

Agenda Report 06-0725

Staff Recommendation: Approve extended platting deadline of March 21, 2007.

On September 21, 2004, the City Council approved the creation of DP-277 Bruce Brown Commercial CUP and a zone change from "SF-5" and "SF-20" Single-Family Residential to "LC" Limited Commercial subject to the condition of platting the property within one year. The applicant received a six-month platting extension from staff. As the submitted letter indicates, the applicant is not ready to develop or begin platting. The applicant requests a one-year platting extension to March 21, 2007.

Staff recommends that an extension of time to complete platting requirements be granted. The City Council may deny the request for an extension of time to complete platting; however, denying the extension would declare the CUP and zone change null and void and would require reapplication and rehearing if the property owner still desired a CUP and zone change.

Promote Economic Vitality and Affordable Living.

No legal documents are required to enact the granting of the platting extension. The granting of a platting extension is indicated via letter to the applicant noting the extended platting deadline as granted by the City Council.

Motion--

Mayans moved that the extended platting deadline of March 21, 2007 be approved. Motion carried 7 to 0.

--carried

A06-15

A06-16R-REQUEST BY GEORGE E. LAHAM, II OF GREENWICH 13, LLC TO ANNEX LAND GENERALLY LOCATED NORTHWEST OF 13TH STREET NORTH AND GREENWICH ROAD. (DISTRICT II)

Agenda Report No. 06-0726

The City has received a request to annex 30.89 acres of land generally located northwest of the intersection of 13th Street North and Greenwich Road. The annexation area abuts the City of Wichita to the south and east. The property owner anticipates that the proposed property will be developed with 300,000 square feet of commercial property. A plat has not yet been submitted to the Metropolitan Area Planning Department for review. Two isolated road segments are also included with this annexation request.

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Land Use and Zoning: The proposed annexation consists of approximately 30.89 acres of property currently zoned "GI" General Industrial and "SF-20" Single-Family Residential. The "GI" General Industrial zoning will not change upon annexation, but upon annexation the "SF-20" Single-Family Residential zoning will convert to "SF-5" Single-Family Residential. Property directly to the north is currently used for aircraft manufacturing and zoned as "GI" General Industrial. The property to the east is zoned "SF-20" Single-Family Residential and "LC" Limited Commercial and is currently undeveloped at this time. Property to the south contains a runway that currently serves Raytheon Aircraft Company and is zoned as "LI" Limited Industrial and "LC" Limited Commercial. Property to the west is zoned "LI" Limited Industrial and is undeveloped at this time.

Public Services: The closest water line is a 16" water main along the west side of the Greenwich ROW across the subject property. There are currently no plans to construct a water main in 13th Street North at this time. The closest sewer line is an 8" sewer line on the NW corner of 13th and Greenwich, but connections to other sites are possible due to more favorable elevations. Alternatives include connecting to the Waterfront Addition (approximately 1/2 mile to the west), connecting to an 18" main north of the railroad tracks (approximately 1/4 mile to the north) or connecting to an 8" line in the Chapel Hill Addition (approximately 1/4 mile to the east).

Street System: The subject property borders Greenwich Road to the east and 13th Street North to the south. Greenwich Road is currently a paved, two-lane road, while 13th Street North is a four-lane road south of the subject property. The City of Wichita Capital Improvement Program (CIP) 2005-2014 and the 2006 Transportation Improvement Program have scheduled Greenwich Road to be widened, east of the subject property, from Central to 29th Street. In addition, the 2006 Transportation Improvement Program and the Sedgwick County Capital Improvement Program 2006-2010 have scheduled 13th Street North to be widened from K-96 to 159th Street East, which is approximately 1/2 mile east of the proposed annexation site.

Public Safety: Fire services to this site can be provided by the City of Wichita within a six (6) to seven (7) minute approximate response time from City Station No. 18, located at 2808 N. Webb Road. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 S. Edgemoor.

Parks: The Eastview Park, a 20-acre park, is located approximately 2 miles to the west of the proposed annexation site and contains a paved exercise trail with 20 exercise stations, a softball diamond, two lighted tennis courts, a soccer field, a children's play area and a parking area. In addition, Northeast Sports Complex, a 60-acre park, is located approximately 2 miles to the north of the proposed annexation site and is currently being developed for youth athletics. According to the 1996 Parks and Open Space Master Plan, two potential pathways have been identified, one of which would run along the south edge of the subject property--along 13th Street North. The other pathway would run parallel to 13th Street, through the property to the north of the subject property. A potential future park site has been identified west of the subject property as well.

School District: The annexation property is part of the Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$337,340 with a total assessed value of \$37,628. Using the current City levy (\$31.828/\$1000 x assessed valuation), this roughly yields \$1,181 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property and the current mill levy. At this time, the property owner is anticipating that 300,000 square feet of office and commercial property will be developed within the next ten years. The total appraised value of this commercial development after completion is estimated at \$60,000,000. Assuming the current City levy remains about the same, this would roughly yield a total of \$471,090 in City annual tax revenues.

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Approving the annexation request would impact Wichita's goal to ensure efficient infrastructure, for annexation of this property would assist the City in satisfying the demand for new infrastructure needed to support growth and development.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--
--carried

Mayans moved that the annexation request be approved; the ordinance placed on first reading and the necessary signatures authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. (A06-16)

SUB2006-43

SUB2006-43-PLAT OF E.S. DEVELOPMENT MIDWEST COMMERCIAL ADDITION, LOCATED NORTH OF 21ST STREET NORTH AND ON THE EAST SIDE OF MAIZE ROAD. (DISTRICT V)

Agenda Report No. 06-0727

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

This site, consisting of three lots on five acres, is a replat of the Agape Addition. This site is located within Wichita's city limits. A zone change (ZON 2005-54) from SF-5, Single-family Residential District to LC, Limited Commercial District has been approved. The E.S. Development Midwest Commercial Community Unit Plan (CUP 2005-72, DP-293) was also approved for this site, and a Notice of Community Unit Plan has been submitted.

Municipal services are available to serve the site. A Restrictive Covenant has been submitted to allow the creation of a lot owner's association to provide for the ownership and maintenance of the reserves being platted for drainage purposes. In accordance with the approved CUP, a Cross-lot Access and Easement was submitted to assure internal vehicular movement between the lots. A Joint Access Easement has been submitted to create two joint access easements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days. Publication of the ordinance should be withheld until the plat is recorded with the Register of Deeds.

Ensure Efficient Infrastructure.

The Notice of Community Unit Plan, Restrictive Covenant, Cross-lot Access and Easement and Joint Access Easement will be recorded with the Register of Deeds.

Motion--
-- carried

Mayans moved that the documents and plat be approved the necessary signatures authorized and the ordinance placed on first reading, with publication being withheld until the plat is recorded with the Register of Deeds.. Motion carried 7 to 0.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, introduced and under the rules laid over. (ZON2005-54)

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DED2006-14 & 15

DED2006-14 AND 15-DEDICATION OF STREET RIGHTS-OF WAY, LOCATED ON THE NORTHEAST CORNER OF 135TH STREET WEST AND MACARTHUR ROAD. (COUNTY)

Agenda Report 06-0728

Staff Recommendation: Accept the Dedications.

These Dedications are associated with a lot split case (SUB 2005-81). The Dedications are for street right-of-way along 135th Street West.

Ensure Efficient Infrastructure.

The Dedications will be recorded with the Register of Deeds.

Motion--carried

Mayans moved that the dedications be accepted. Motion carried 7 to 0.

HOUSING AGENDA

HUD

SUBMISSION TO HUD FOR 2006 AND 2007 SECTION 8 MAINSTREAM FUNDING.

Agenda Report No. 06-0729

The Department of Housing and Urban Development (HUD) requires that the Wichita Housing Authority (WHA) annually submit Section 8 Mainstream budgets for HUD approval. The budget estimates the housing assistance and administrative fees necessary to support the 75 Mainstream housing assistance vouchers that HUD has allocated for the WHA. "Mainstream" vouchers are specifically designated to help persons with disabilities, to obtain affordable housing. The Mainstream program allows a client to locate his or her own rental housing unit; the WHA subsidizes the rent through housing assistance payments to the landlord based on the client's household income.

The 2006 Budget will provide funding in the amount of \$86,751 for the period of October 1, 2006 through December 31, 2006. The 2007 Budget will provide funding in the amount of \$347,004 for the period of January 1, 2007 through December 31, 2007. The Mainstream program will be totally funded by HUD and will provide for 75 housing assistance vouchers in each period.

The Wichita Housing Authority Board's approval is required for budget submittal to HUD.

The Mainstream program will contribute to the Economic Vitality and Affordable Living goal.

The program is completely funded by HUD grants. No local tax funds will be required for this program.

Motion--

Inafay Grays-McClellan moved that the submission of the Requisition for Partial Payment of Annual Contributions be approved and the necessary signatures for submittal to HUD authorized. Motion carried 8 to 0.

--carried

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AIRPORT AGENDA

JABARA AIRPORT

GENERAL AVIATION APRON, TAXIWAYS F AND G, RUNWAY MARKINGS AND AIRFIELD ELECTRICAL, COLONEL JAMES JABARA AIRPORT.

Agenda Report No. 06-0730

The airfield paving projects are included in the Capital Improvement Program.

Pending tenant development requires the construction of airfield pavements; the FAA mandates runway-marking changes; and the replacement of airfield electrical equipment is due to equipment becoming unreliable.

Professional Engineering Consultants provided the only Statement of Qualifications and the Staff Screening and Selection Committee concurred with Airport staff as to their qualifications.

The contract amount for design and bid phase services is \$108,845.85. The total project cost is currently estimated to be \$1,840,000. Ultimate funding is expected to be from AIP Federal Grant funds and General Obligation bonds paid for with Airport Revenue.

The Airport's contribution to the economic vitality of Wichita is promoted through the development of additional pavements to serve the aviation community.

The Law Department has approved the contract and the Authorizing Resolution as to legal form.

Motion--
--carried

Mayans moved that the contract be approved; the resolution adopted; the capital budget approved and the necessary signatures contingent upon FAA approval authorized. Motion carried 7 to 0.

RESOLUTION NO. A06-010

A resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by, the authorization of certain capital improvements to the colonel James Jabara airport facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

CITY COUNCIL

BOARD APPTS

BOARD APPOINTMENTS.

Mayor Mayans

Mayor Mayans requested to appoint Vice-Mayor Member Gray to be the Kansas representative to the Wrangler's Initiative Committee and reappoint Ron Terzian to the Juvenile Corrections Advisory Board.

Council Member Martz

Council Member Martz requested that the following people be appointed to DAB V: David Almes, Bob Bulman, David Dennis, Maurice Ediger, Jerry Hoggatt, Andy Johnson, John Marker, Clarke Sandberg, DeAnn Sullivan and Ann Welborn.

Motion--carried

Mayans moved that the appointments be approved. Motion carried 7 to 0.

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OFF AGENDA ITEM Requested by Council Member Brewer.

Motion-- Brewer moved that the City Council suspend the rules and procedures and take up an item off the
--carried agenda to provide direction to staff. Motion carried 7 to 0.

Council Member Brewer Council Member Brewer stated that this issue has to do with Wichita State University and the Kansas Board of Regents and that there has been a lot of discussion about it and he would like to assist and bring some closure to this.

Motion-- Brewer moved that the City Attorney be directed by the City Council to draft a resolution expressing that the City Council take a non-interference approach regarding whether Wichita State University should have a football program and that the City Council support the Kansas Board of Regents and President Doctor Don Beggs as the only lawful entity to make the decision about the football program. With this concept in mind, that the City Attorney be directed to draft language and a resolution to reflect the following concepts: 1) the authority to decide whether the University has a football program belongs only to the President of the University and the Board of Regents; 2) although a football program is a worthy idea, the City Council has no role in the decision and will not assume any such role; 3) no member of the Wichita City Council and City staff is authorized to speak for the City Council in a way contrary to this resolution; 4) the City Council supports President Beggs and the Board of Regents for their budget allocations of the WSU mill levy and; 5) the City will not spend any tax dollars or use any City resources to influence that decision.

Mayor Mayans Mayor Mayans stated that he feels that it is a good idea and that the President of the university makes that determination and he has always said that. Stated that the last time he and the president spoke, which was last week, the issue of the mill levy was taken off the table and that he also agrees with that.

Council Member Brewer Council Member Brewer stated that last week he and Council Member Schlapp participated in the Great American Race that came to Wichita and that they did not know and were not informed that the City of Wichita was competing with other cities for \$10,000.00 that would go to the library, which was something that they were not aware of. Stated that the citizens were there in large numbers in support of this event.

RECESS

Motion-- Mayans moved that the City Council recess into Executive Session at 12:15 p.m. to consider:
consultation with legal counsel on matters privileged in the attorney-client relationship relating to:
potential litigation and legal advice and that the Council return from Executive Session no earlier than
12:30 p.m. and reconvene in the City Council Chambers on the first floor of City Hall. Motion
--carried carried 7 to 0.

RECONVENE The Council reconvened in the City Council Chambers at 12:31 p.m. Mayor Mayans announced that no action was taken.

Motion--carried Mayans moved that the Executive Session be closed at 12:31 p.m. Motion carried 7 to 0.

Motion-- Mayans moved that the regular meeting be closed at 12:32 p.m. Motion carried 7 to 0.

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ADJOURNMENT

The City Council meeting adjourned at 12:32 p.m.

Respectfully submitted,

Karen Sublett CMC
City Clerk